

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

8378 SENATE LABOR & COMMERCE

SB

97

Alaska State Legislature

Senator Tim Kelly, Chair
Senator Steve Rieger, Vice Chair
Senator Drue Pearce
Senator Judy Salo
Senator Georgianna Lincoln



SENATE LABOR AND COMMERCE COMMITTEE

STATE CAPITOL, SUITE 101
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-3822
FAX: (907) 465-3756

3111 C STREET, SUITE 550
ANCHORAGE, ALASKA 99503
(907) 561-7612

MEMORANDUM

TO: Tom Boedeker
Kenai Peninsula Borough
FAX: 262-8686

FROM: Josh Fink, Committee Aide *JPF*

DATE: February 20, 1993

RE: CSSB 97 (Labor & Commerce): Enhanced 911 Systems

I am faxing you a draft Committee Substitute for SB 97. I have entirely removed A.P.U.C. from the bill, and put the surcharge authority in Title 29. Accordingly, the state maintained 911 surcharge pool has been deleted.

Please note, Mayor Gilman's suggestion that we provide for a 75 cent surcharge cap rather than a 50 cent cap for municipalities with fewer than 100,000 people has been incorporated.

In addition, Phil raised the issue of why were providing immunity to hardware and software providers, and the telephone exchange company, but not the municipalities. Municipalities are in fact granted immunity on page 5, lines 24 through 27.

This bill is scheduled to be heard before the Senate Labor & Commerce Committee on Tuesday, February 23. Please review and call me Monday morning with any comments. My direct line is 465-3819.

Thank you.



Anchorage Telephone Utility

Executive Offices

February 24, 1993

Honorable Tim Kelly
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Kelly:

Your question regarding Section 2 (Public Records; Exceptions; Certified Copies) of CS97, An Act relating to enhanced 911 emergency reporting systems, was passed on to me by Senator Pearce's office.

That language was requested by the Anchorage Police Department. As I understand it, it is simply an issue of privacy. It is their position that a person involved in an emergency situation involving the use of 911 should be entitled to a degree of privacy regarding that situation. Naturally, if a crime is found to have been committed and/or an arrest is made in conjunction with a 911 call, then that information would become public.

Thank you for your support of this legislation. I hope this answers your question. If you need additional information, please do not hesitate to call.

Sincerely,

ANCHORAGE POLICE DEPARTMENT



Gordon Parker
Director, Carrier Relations & Public Policy

cc: Senator Pearce

1:CRPP-011

Alaska State Legislature

Senator Tim Kelly, Chair
Senator Steve Rieger, Vice Chair
Senator Drue Pearce
Senator Judy Salo
Senator Georgianna Lincoln



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SECTIONAL ANALYSIS OF THE WORK DRAFT CS SB 97 (L&C): ENHANCED 911 EMERGENCY SYSTEM

Section 1: Findings & Purpose.

Section 2:

Amends AS 09.25.120, PUBLIC RECORDS; EXCEPTIONS; CERTIFIED COPIES, so that records or information provided in the course of an enhanced 911 call, including the recording of the call, are protected from release to the public. This section also makes some technical changes making the section easier to read.

Section 3:

Amends AS 09.65.070(d), SUITS AGAINST INCORPORATED UNITS OF LOCAL GOVERNMENT, to provide municipalities immunity from suit for the exercise of a duty in connection with an enhanced 911 system.

Section 4:

Amends AS 29.10.200, LIMITATION OF HOME RULE POWERS, to add AS 29.35.131, ENHANCED 911 SYSTEM, as a new paragraph. This provides that the Enhanced 911 System provisions apply to home rule municipalities as a prohibition on acting otherwise than as provided for in AS 29.35.131.

Section 5:

Amends AS 29.35, MUNICIPAL POWERS AND DUTIES, by adding 5 new sections:

- 29.35.131 - 911 Surcharge;
- 29.35.133 - Immunity;
- 29.35.135 - Waiver of Privacy By Local Exchange Telephone Company Subscribers;
- 29.35.137 - Definitions.

29.35.131: 911 Surcharge

Allows municipalities to elect to provide an enhanced 911 system and impose a surcharge, collectable through the local telephone exchange's billing system, to meet only the costs of the system. This surcharge is capped at 50 cents for municipalities with 100,000 or more people, and 75 cents for municipalities with fewer than 100,000 people.

In a municipality which has elected to provide this system, the local exchange telephone company shall bill and collect the surcharge, which shall be paid to the municipality no later than 60 days from the end of the month in which it is collected. The surcharge may not be considered revenue of the local exchange company. If a customer only pays a portion of his or her bill, the amount paid shall be prorated between the surcharge and telephone bill. From each remittance to the municipality, the local exchange company may deduct the greater of one percent of the collected amount or \$150 for the cost of collection.

A local exchange company is not legally obligated to take legal action to enforce collection of the surcharge, but if the company is attempting to collect an unpaid debt from a customer, it shall also attempt to collect any unpaid 911 surcharge.

29.35.133: Immunity

Except for intentional acts of misconduct or gross negligence, a service supplier, local exchange telephone company, and their employees and agents, are immune from liability.

29.35.135: Waiver of Privacy By Local Telephone Company Subscribers

Local telephone subscribers waive the privacy afforded by unlisted or unpublished phone numbers to the extent that the name and address may be furnished to the enhanced 911 system for routing and response.

29.35.137: Definitions

Section 6: Effective Date.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 9, 1993

SUBJECT: Sectional Summary of SB 97 (Enhanced emergency reporting systems)

TO: Senator Drue Pearce

FROM: Teresa B. Cramer *TBC*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill is not considered an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 states the legislature's findings and purpose concerning the legislation.

Sec. 2 amends the state public records law to add records or information provided in the course of an enhanced 911 call to the list of items that are protected from release to the public. The section also makes technical changes to the statute, dividing it into three subsections to make it easier to read.

Sec. 3 establishes the authority for and financing of enhanced 911 systems.

Sec. 42.30.400 permits municipalities to purchase or lease enhanced 911 equipment or service. Under subsection (b), if the area to be served by the system is within the boundaries of more than one municipality, only those municipalities that enter into an agreement for the equipment required for the system are included. Under subsection (c), municipalities must notify the Department of Commerce and Economic Development and the local telephone companies that they plan to establish an enhanced 911 system. Subsection (d) requires the department to adopt regulations on how a municipality may enter into or withdraw from an enhanced 911 system.

Sec. 42.30.410 establishes a 50 cent surcharge on local exchange access lines in municipalities participating in the enhanced 911 fund, to be used for equipment costs and associated installation and maintenance costs. The fund is established in Sec. 42.30.440 of the bill. The section limits the amount of surcharge that one

SECTIONAL ANALYSIS

Senator Drue Pearce

February 9, 1993

Page 2

customer must pay, directs how the surcharge is to be collected and accounted for, and limits the department's oversight powers concerning the fund.

Sec. 42.30.420 permits municipalities that do not participate in the enhanced 911 fund to establish a local surcharge to help pay for the enhanced 911 system.

Sec. 42.30.430 requires local exchange telephone companies to separately state the 911 surcharges, either the state-administered surcharge or a local surcharge, for which their customers are billed. Under subsection (c), a local telephone company is not required to sue to collect the 911 surcharges.

Sec. 42.30.440 established the enhanced 911 fund as a separate account in the general fund, to be used to reimburse municipalities participating in the enhanced 911 fund.

Sec. 42.30.450 protects the state (under AS 09.50.250(1)) and municipalities (under AS 09.65.070(d)(5)) from actions for damages based on the establishment, funding, use, operation, or maintenance of an enhanced 911 system. Subsection (b) provides immunity from civil damages to individuals and to telephone companies and their employees based on the operation or maintenance of an emergency 911 system.

Sec. 42.30.460 establishes that telephone customers with unlisted or unpublished telephone numbers waive the privacy rights to the extent that an enhanced 911 system provides that information.

Sec. 42.30.490 contains definitions for the earlier sections.

Sec. 4 is an immediate effective date.

TC:pl:gc
93-071.plm



KENAI PENINSULA BOROUGH

144 N. BINKLEY • SOLDOTNA, ALASKA 99669
PHONE (907) 262-4441

TELECOPY COVER LETTER

DON GILMAN
MAYOR

DATE: February 16, 1993

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Ken Erickson

FIRM: Drue Pearce's office

CITY: Juneau, AK

TELEPHONE NUMBER: _____ TELECOPY NUMBER: 465-3872

FROM: Philip A. Reeves, Deputy Borough Attorney

TOTAL NUMBER OF PAGES (INCLUDING COVER LETTER): 5

DESCRIPTION OF MATERIAL: Dear Ken: Under this cover you will find our draft bill plus a memo containing our in-house review of Senate Bill 97. The only additional comment I would have beyond our phone conversation and these documents is that we are concerned that the billing not be limited to "enhanced" 911 costs but be available for operation of the anti: 911 call taking (as opposed to dispatch) functions.

If you do not receive all of the pages, please call back as soon as possible.

Phone: (907) 262-8609

Operator: Barbara A. Lewis, Legal Secretary

We are transmitting from a RICOH FAX 60E

Telecopy Number: (907) 262-1892



KENAI PENINSULA BOROUGH

144 N. BINKLEY • SOLDOTNA, ALASKA 99669
PHONE (907) 262-4441

DON GILMAN
MAYOR

M E M O R A N D U M

TO: *TRB* Thomas R. Boadeker, Borough Attorney
FROM: *PR* Philip A. Reeves, Deputy Borough Attorney
DATE: February 1, 1993
SUBJECT: Senate Bill 97 -- 911 billing authority.

After drafting the proposed 911 billing legislation which you requested I came across a copy of Senate Bill 97, introduced by Sen. Pearce, which provides similar authorities for municipal 911 billing in a much different vehicle. Through this memo I want to provide a quick review of the methods employed by that Bill.

I believe we have two areas major concern with the proposed Bill which are: 1) it goes far beyond providing municipalities with surcharge authority and instead sets up a state program to (optionally) collect our surcharge for us and to (not optionally) regulate our operation of our 911 system; and, 2) the major provisions are placed within Title 42, which is the Public Utilities title, instead of Title 29, the municipal government title. Not only does this portend of possible AFUC involvement in our 911 operations, it also denies the liberal construction accorded municipal powers under the Constitution (Art. 10, Sec. 1) per Liberati. In review of the express language of the bill:

I. Proposed AS 42.30.400. This section authorizes municipalities to do what AS 29.35.130 already allows -- establish and operate E 911 systems. Unfortunately, because it is more detailed (in that it regulates and limits our authority) and later in time, it can be interpreted to impliedly repeal the more general authority given in Title 29, and in so doing would take away the liberal interpretation accorded to Title 29 provisions.

II. Proposed AS 42.30.410. Sets up a program within the Department of Commerce and Economic Development to collect 911 surcharges and distribute to participating municipalities. It is optional, and considering that the distributions would be subject to appropriation and to the regulations of the Department of Commerce and Economic

Development I suspect that the major municipalities would opt out and collect their own. So long as this is optional I guess it doesn't hurt us, but I wonder if the "optional" nature might change if only the small, relatively unorganized municipalities and villages opt in -- the pool might then be too small to operate the program.

III. Proposed AS 42.30.420. This provides for municipalities to impose their own surcharge, subject to the express included limitations, and it is better than the nothing which we have now. Needs to be in Title 29. The limitations aren't that bad. It is unfortunate that this fairly simple section has been tied into the substantial new state program which the rest of this Bill proposes when this "local surcharge" has little connection to the rest.

IV. Proposed AS 42.30.430. As a practical matter, this allows the telephone utility to claim that the 911 surcharge was included in any shortage of payment of a telephone bill (so we get paid last) and splits the 911 surcharge from the rest of the bill for utility collection purposes. Since the maximum annual 911 charge as proposed is \$6.00 per customer, there is no practicable method for a municipality to collect these debts. We need to have collection by the utility to be mandatory (as with sales tax) and expressly mandate that any funds collected by the utility are either applied first to the surcharge, then to the phone bill, or prorated between the two.

V. Proposed AS 42.30.440. See AS 42.40.410 above. This fund is part of the "optional" state collection system, but how long will that last if all the big municipalities opt out and the fund is thus smaller than envisioned?

VI. Proposed AS 42.30.450. Immunity under AS 9.65.070(d) would be great if they'll give it to us. I question why the telecommunications suppliers and telephone utilities deserve this immunity when they are acting in the role of private commercial interests and are certainly receiving a substantial profit on this product.

A BILL

FOR AN ACT ENTITLED

"An Act providing authority for municipalities which operate 911 emergency services communications systems to establish and impose surcharges on local access telephone lines, to be collected by the local telephone utility, for partial or full funding of maintenance, operations and capital costs of the system."

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

*Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

(1) Under the provisions of AS 29.35.130, Alaska municipalities are authorized to establish and operate emergency services communications centers to receive requests for emergency services and dispatch those services;

(2) Several municipalities currently operate basic 911 or enhanced 911 emergency services telephone systems which provide the critical communications link between the public and available emergency services agencies;

(3) The costs for operation and maintenance of these 911 systems is an increasing burden on local government, particularly in those areas attempting to upgrade their basic 911 systems to enhanced 911, which provides faster response times through automatic routing of calls to the appropriate response agency and visual display of location and telephone number of the caller;

(4) The 911 system costs and desired upgrades could be better afforded by municipalities if at least a portion of those costs were recovered through telephone line surcharges collected through the normal billing processes of local telephone utilities.

(b) It is the purpose of this legislation to provide authority in Title 29 of the Alaska Statutes to allow municipalities to establish and impose a 911 surcharge on local

telephone exchange access lines and to require that the local exchange telephone utility collect the surcharges through their normal billing processes.

***Section 2.** AS 29.35.130 is amended by adding a new subsection to read:

(e) A municipality which operates a 911 emergency services communication system may, by ordinance, establish and impose an appropriate surcharge on local exchange access lines to partially or fully compensate for system costs, and may require the local exchange telephone utility to collect the surcharges through normal billing and collection processes and remit all proceeds, minus a one percent utility administration fee, to the municipality. In the case where the utility receives a payment in an amount less than the total telephone bill including the 911 surcharge, then the amount received shall be prorated between the 911 surcharge and the utility's charges. Where a borough imposes a surcharge for its operation of a 911 system which serves an area which includes one or more cities, then those cities shall not impose an additional surcharge under this section. The imposition of a 911 surcharge through the local exchange telephone utility and the amount of the surcharge shall be at the sole discretion of the municipality and shall not be subject to review or approval by the Alaska Public Utilities Commission.

***Section 3.** This act shall take effect immediately, in accordance with AS 01.10.070(c).

Introduced by: Alaska Fire Chief's Association
Date: September 25, 1992

RESOLUTION 92-02J

A RESOLUTION REQUESTING THAT THE ALASKA STATE LEGISLATURE PROVIDE SOURCES OF FUNDING FOR THE ENHANCED 911 SYSTEM SIMILAR TO LEGISLATION INTRODUCED DURING THE SECOND SESSION OF THE SEVENTEENTH ALASKA STATE LEGISLATURE.

WHEREAS, expansion of the benefits of the basic 911 emergency telephone number provides faster response time, which minimizes the loss of fire and property, and

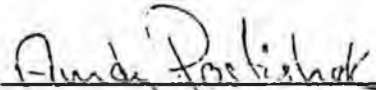
WHEREAS, automatic routing to the appropriate emergency response unit occurs, and

WHEREAS, immediate visual display of the location and telephone number of the caller appears which curtails the abuses of the emergency system by documenting callers.

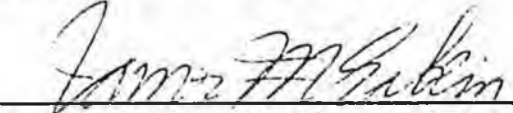
NOW, THEREFORE, BE IT RESOLVED BY THE ALASKA FIRE CHIEF'S ASSOCIATION AND ALASKA STATE FIREFIGHTER'S ASSOCIATION:

- 1) that the Alaska State Legislature is urged to provide funding sources, either through local user fees, or surcharges, to fund the enhanced 911 systems statewide.

ADOPTED, this 25th day of September, 1992.

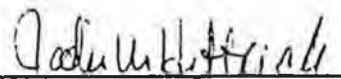


Andy Postishek, President AFCA



James Eakin, President ASFA

ATTEST:



Jodie Hettrick, Secretary

RESOLUTION OF SUPPORT FROM THE
ALASKA FIRE CHIEF'S ASSOCIATION

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

DATE: 2/5/93

FURTHER: JUDICIARY
FINANCE

Date of 5-Day Notice: 2/11/93
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2/24/93

L&C Committee considered SB 97

"An Act relating to enhanced 911 emergency reporting systems; and providing for an effective date."

and recommends:

replace with _____ CS SB 97 (L4C)

attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
DCE.D	2/22/93	✓	

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

Irue Deaver

Steve Klein

Judith Salo

OTHER RECOMMENDATIONS:

Amended NR

Twin Kelly - Do Pass
Chair: Signature and Recommendation

Introduced by: Alaska Fire Chief's Association
Date: September 25, 1992

RESOLUTION 92-02J

A RESOLUTION REQUESTING THAT THE ALASKA STATE LEGISLATURE PROVIDE SOURCES OF FUNDING FOR THE ENHANCED 911 SYSTEM SIMILAR TO LEGISLATION INTRODUCED DURING THE SECOND SESSION OF THE SEVENTEENTH ALASKA STATE LEGISLATURE.

WHEREAS, expansion of the benefits of the basic 911 emergency telephone number provides faster response time, which minimizes the loss of fire and property, and

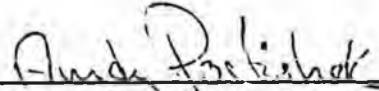
WHEREAS, automatic routing to the appropriate emergency response unit occurs, and

WHEREAS, immediate visual display of the location and telephone number of the caller appears which curtails the abuses of the emergency system by documenting callers.

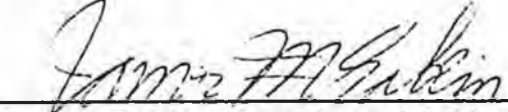
NOW, THEREFORE, BE IT RESOLVED BY THE ALASKA FIRE CHIEF'S ASSOCIATION AND ALASKA STATE FIREFIGHTER'S ASSOCIATION:

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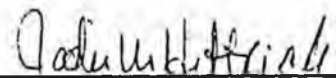
ADOPTED, this 25th day of September, 1992.



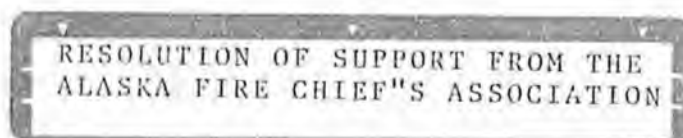
Andy Postishek, President AFCA



James Eakin, President ASFA

ATTEST: 

Jodie Hettrick, Secretary



Introduced by:
Date:

Alaska Fire Chief's Association
September 25, 1992

RESOLUTION 92-01J

A RESOLUTION REQUESTING THAT THE ALASKA STATE LEGISLATURE PROVIDE WORKERS COMPENSATION BENEFITS TO VOLUNTEER FIREFIGHTERS EQUAL TO THE BENEFITS PROVIDED FOR FULL-TIME PAID FIREFIGHTERS.

WHEREAS, the Alaska Fire Chief's Association and the Alaska State Firefighter's Association recognize the importance and contribution of all volunteer firefighters throughout the state of Alaska, and

WHEREAS, volunteer firefighters provide the same services, and perform the same tasks as full-time paid firefighters, and

WHEREAS, current workers compensation laws protect full-time paid firefighters yet this protection is not extended equitably to volunteer firefighters, and

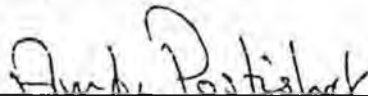
WHEREAS, it is in the best interest of all parties involved to provide workers compensation benefits to injured parties rather than subject themselves to litigation.

NOW, THEREFORE, BE IT RESOLVED BY THE ALASKA FIRE CHIEFS ASSOCIATION AND THE ALASKA STATE FIREFIGHTERS ASSOCIATION:

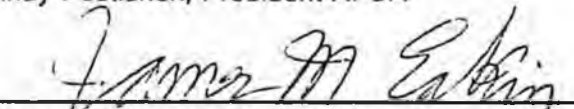
that the Alaska State Legislature and the Governor are urged to pass legislation that provides equitable workers compensation benefits for volunteer firefighters with all the rights of regular employees including:

- 1) coverage while acting within the scope of the duties of a volunteer firefighter performing public safety duties as defined by their agency;
- 2) provide workers compensation benefits to volunteer firefighters by the same standards as other employees, except that the compensation will be based on their regular income or the income that would be received by an average entry level full-time paid firefighter in the state of Alaska, whichever is greater. Benefit compensation for regular income shall be limited to not more than three times the average entry level firefighter wage.

ADOPTED, this 25th day of September, 1992.

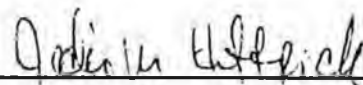


Andy Postishek, President AFCA



James Eakin, President ASFA

ATTEST:



Jodie Hettrick, Secretary

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

DATE: 2/5/93

FURTHER: JUDICIARY
FINANCE

Date of 5-Day Notice: 2/11/93
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DATE TURNED INTO OFFICE: 2/24/93

L&C Committee considered SB 97

"An Act relating to enhanced 911 emergency reporting systems; and providing for an effective date."

and recommends:

replace with _____ CS SB 97 (L4C)

same title
 new title
 technical title change
(HB only)

attaches amendment(s)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation;

individual recommendations

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
DCED	2/22/93	✓	

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

Tom Deane
Steve Klein
Judy Salo

OTHER RECOMMENDATIONS:

Josephine [unclear] NP

Tim Kelly - Do Pass
Chair: Signature and Recommendation

Alaska State Legislature

3111 C Street, Suite 150
Anchorage, Alaska 99503
(907) 561-2038



During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-4993

Senator Drue Pearce
District G

To: Senator Tim Kelly, Chairman
Senate Labor & Commerce Committee

From: Senator Drue Pearce *Drue Pearce*

Date: February 6, 1993

Re: Scheduling of SB-97 in Senate Labor & Commerce

Please consider scheduling Senate Bill 97 at your earliest opportunity. Victims of crime, the young, and the elderly are often unable to give adequate directions when they dial 911 in an emergency situation. If enacted, SB-97 would create a mechanism to fund enhanced 911 emergency reporting systems. Departmental regulations would define the procedure under which any municipality may choose to enter or withdraw from such a system.

Enhanced 911 emergency reporting systems provide an expansion of the benefits of the basic 911 emergency telephone number. Among the benefits are:

- 1) Immediate visual display of the location and telephone number of the caller.
- 2) Automatic routing to the appropriate emergency response unit.
- 3) Faster response time.
- 4) Curtailment of abuses of the emergency system by documenting callers.

This bill gives immunity from liability, except for intentional acts of misconduct or gross negligence, to suppliers of 911 services. The bill also, for the purposes of a dispatcher furnishing name and address information to emergency response units, waives the telephone customer's privacy rights normally afforded by unlisted phone numbers.

*Tim - the bill was
requested by API
and ATU.*

Alaska State Legislature

3111 C Street, Suite 150
Anchorage, Alaska 99503
(907) 561-2038



During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-4993

Senator Drue Pearce
District G

Sponsor Statement for Work Draft of Committee Substitute for Senate Bill 97

Mr. Chairman and members of the Committee ... the Work Draft for Committee Substitute for Senate Bill 97 will enable emergency dispatchers to better assist people who call 911 when they find themselves in life threatening situations. Victims of crime, the young, and the elderly are often unable to give adequate directions when they dial 911. If enacted, SB-97 would create a mechanism to fund enhanced 911 emergency reporting systems. The bill is permissive.

Enhanced 911 emergency reporting systems provide an expansion of the benefits of the basic 911 emergency telephone number. Among the benefits are:

- 1) Immediate visual display of the location and telephone number of the caller.
- 2) Automatic routing to the appropriate emergency response unit.
- 3) Faster response time.
- 4) Curtailment of abuses of the emergency system by documenting callers.

This bill gives immunity from liability, except for intentional acts of misconduct or gross negligence, to municipalities and their suppliers of 911 services. The bill, for the purposes of a dispatcher furnishing name and address information to emergency response units, waives the telephone customer's privacy rights normally afforded by unlisted phone numbers.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. SB 97

Revision Date: _____
 Title: An Act relating to enhanced 911 emergency reporting
systems
 Sponsor: Pearce
 Requestor: _____

Department Affected: Commerce and Economic Development
 BRU: Alaska Public Utilities Commission
 Component: _____
 COMPONENT SERIAL NO. _____

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year (FY 93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)
 See Separate Page

Prepared by: Robert A. Lohr, Executive Director
 Division: Alaska Public Utilities Commission

Phone: 276-6222
 Date: 2/22/93

Approved by Commissioner: Paul Fuhs
 Agency: Commerce and Economic Development

Date: _____

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SB 97: "An Act relating to enhance 911 Emergency Reporting Service Systems."

The Alaska Public Utilities Commission's (Commission) initial comment on SB 97, HB 142, and HB 166 is that there appears to be little or no role for the Commission. Only HB 142 specifically refers to the Commission and in that bill the Commission's role would be limited to receiving notice from municipalities that intend to implement enhanced 911 systems.

However, should certain oversight or other governmental functions in these bills be delegated to the Commission, the Commission specifically notes that fund administration (including collection enforcement, investment and disbursement) is not a function which the Commission has neither traditionally handled nor is currently equipped to handle.

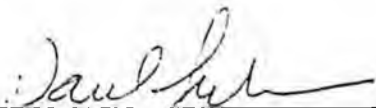
Aside from any potential role for the Commission in the implementation of these bills, the Commission believes these bills raise a basic public policy question as to whether enhanced 911 service is, in fact, a public utility service. The funds proposed by each bill would be used primarily for the creation and maintenance of public safety information database service - a service over which the Commission has little, if any, jurisdiction.

Furthermore, if it is determined that enhanced 911 service is a public safety service rather than a public utility service, the Legislature may also wish to question the proposed funding source. That is, is it appropriate to use a public utility service (local telephone service) to fund a public safety service (local telephone service) to fund a public safety function (enhanced 911 service)?

The Commission notes that a potential conflict may exist between the provision in these bills for the collection of \$0.50 per access line per month and existing state policy, as expressed in AS 42.05.145, that regulation of local exchange telecommunications service shall "seek to maintain and further the efficiency, availability, and affordability of universal basic telecommunications service." This conflict may exist not only with respect to the amount of the subscriber charge (which has no apparent relationship to cost) but also with respect to a regressive cap which limits the amount to be paid by customers with more than 100 access lines. There is little to suggest that the structure of the proposed charge attempts to track users with payers as is the case with other public utility surcharges (e.g., Regulatory Cost Charge). Concern for the potentially harmful universal service implications of these bills is further raised by the fact the proposed cost containment provisions are limited and there is no mechanism for capping the 911 fund.

POSITION PAPER
SB 97
Page 2

Finally, a zero fiscal note has been attached to this position paper since, as the bills are currently drafted, the Commission's role in implementation is either very limited or nonexistent. However, should any of the bills be redrafted to include a greater role for the Commission, particularly with respect to fund administration or review of costs, the fiscal note would be revised.



Paul Fuhs, Commissioner

2-23-93
Date

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DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
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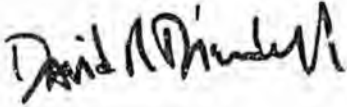
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

January 28, 1993

SUBJECT: House Bill 65 - Relating to the Improvement of State Finances
(Work Order No. 8-GH1020A)

TO: Representative Bill Hudson
Chair, House Labor & Commerce Committee

FROM: David R. Dierdorff 
Revisor of Statutes

Linda Giguere of your staff has asked for a review of potential legal issues related to the governor's "state finance improvement" bill, HB 65.

To understand my review, it is helpful to set out the state of the law with respect to the title of bills and the single-subject rule. The law in Alaska flows from article II, section 13, of the state constitution, which provides, in part:

Every bill shall be confined to one subject * * *. The subject of each bill shall be expressed in the title. * * *

With respect to the single-subject rule, the courts have given the requirement a liberal interpretation, adopting, in Gellert v. State, 522 P.2d 1120 (Alaska 1974), the position stated by the Minnesota Supreme Court in 1891:

All that is necessary is that [the] act should embrace some one general subject; and by this is meant, merely, that all matters treated of should fall under some one general idea, be so connected with or related to each other, either logically or in popular understanding, as to be parts of, or germane to, one general subject.

Id., at 1123, quoting Johnson v. Harrison, 50 N.W. 923, 924 (Minn. 1891). Five years after Gellert, the court stated that the test

. . . requires no more than that the various provisions of [a] single legislative enactment fairly relate to the same subject, or have a natural connection therewith.

Short v. State, 600 P.2d 20, 24 (Alaska 1979).

In construing the single-subject rule, the court will "disregard mere verbal inaccuracies" and "resolve doubts in favor of validity"; "in order to warrant the setting aside of enactments for failure to comply, the violation must be substantial and plain." Suber v. Alaska State Bond Committee, 414 P.2d 546, 557 (Alaska 1966). The rule should be "construed with considerable breadth. Otherwise statutes might be restricted unduly in scope and permissible subject matter, thereby multiplying and complicating the number of necessary enactment(s) and their interrelationships." Gellert, at 1122.

Using this broad construction of the rule, the court has approved such single-subjects as "water resources" in Gellert; "state taxation" in North Slope Borough v. Sohio Petroleum Corp., 585 P.2d 534 (Alaska 1978); "land" in State v. First Nat'l. Bank of Anchorage, 660 P.2d 406 (Alaska 1982); and "transportation" in Yute Air Alaska, Inc. v. McAlpine, 698 P.2d 1173 (Alaska 1985). The Alaska Court of Appeals has approved the single-subjects "liquor regulation" in Van Brunt v. State, 646 P.2d 872 (Ak. App. 1982); and "criminal law" in Galbraith v. State, 693 P.2d 880 (Ak. App. 1985). In fact, the Alaska Supreme Court and the Alaska Court of Appeals have never found that an Alaska statute violated the single-subject rule. This is consistent with the record of other states that have substantially the same rule. Only clear violations of the single subject requirement have been found unconstitutional. (State ex rel Hinkle v. Franklin County Board of Elections, 580 N.E.2d 767 (Ohio 1991) finding a violation of the single subject requirement where a bill on a local option for allowing the sale of alcoholic beverages was added to a bill concerning elected judicial offices)

In recent years, however, the Alaska Supreme Court has begun to reevaluate its broad interpretation of the single-subject rule. In First Nat'l. Bank of Anchorage, the court expressed reservations about prior cases, but was unwilling in that case to overturn past precedents. In Yute Air Alaska, Inc., the court again expressed concern with the broad interpretation of the rule, but gave three reasons why it was not ready to reject its past approach: (1) "it is not at all clear that there are workable stricter standards"; (2) the legislation in that case was the result of a voter initiative and the sponsors of the initiative had relied on the court's precedents in preparing it; and (3) because the sponsors were not experts at drafting the court was reluctant to invalidate a worthy or popular cause merely because of doubtful legality.

In his dissent in Yute Air Alaska, Inc., Justice Moore blasted the majority's "test" as meaningless. "This court has mistakenly continued to give the rule such an extremely liberal interpretation that the rule has become a farce," he said. Id. at 1182. Moore suggested a new test: "An act or initiative should embrace one subject. By this we mean that all matters treated should be logically connected." This, he said, means that various provisions of legislation will pass muster if they are inextricably intertwined, if they have an effect on one another, or if they are reasonably interdependent. Moore urged that "[e]nactments should be presented clearly and candidly," and that the court should "use a plainer standard and be more willing to look closely at the logic of an asserted connection and the reasonable interdepen-

dence of separate provisions. . . . to discourage logrolling and . . . duplicity." Id. at 1186.

In HB 65, the stated subject, as expressed in the title, is "the improvement of state finances." The title goes on to state the two means used to achieve that improvement, through "reduction of operating costs" and "establishment of certain fees." Assuming that "the improvement of state finances" is an appropriately described "subject" for a bill,^{1/} it is necessary to review each provision of the bill to determine whether it fits within that title and whether the bill in fact encompasses more than one subject. Consequently, I will summarize the provisions to make that determination. In the summary I will also note any other problems I see with particular provisions.

Sections 1 - 31 convert all annual liquor licenses under AS 04 to biennial licenses, which, under sec. 72, would be staggered so that one-half expired each year.

Section 32, although stated in the governor's transmittal letter to be a part of the annual/biennial conversion, in fact changes the current six-month license to either a twelve-month license or two, noncontiguous six-month licenses, depending upon how the language is read. I fail to see how this improves state finance by reducing costs of operation. Also, it arguably changes the law relating to the six-month license. This provision is probably not described in the bill title.

Sections 33 and 34, together with sec. 70's repeal of AS 13.26.410(b), change the entity that determines whether the cost of providing public guardian services is charged against the income or estate of the ward or protected person, or absorbed by the state. Under current law, the entity making that determination is the supervising court under the guidance of criteria set out in AS 13.26.410(b).^{2/} Under

^{1/}I have grave doubts as to whether the phrase "improvement of state finances" is a legally sufficient description of the subject of a bill. Determining whether a particular provision is within the scope of this title would be a subjective judgment. One person's improvement of state finances might very well be another person's degradation of those finances. When evaluating the title of a bill it is important to keep in mind two things: first, does the title give reasonable notice of the bill's content; second, would the title deter logrolling (see Justice Moore's dissent in Yute Air Alaska, Inc.).

^{2/} AS 13.26.410(b) provides:

(b) The court shall determine the ability of the ward or protected person to pay for administrative costs of a public guardian or costs incurred in the appointment procedure by determining the financial ability of the ward or protected person to pay a private guardian or conservator, considering the nature, extent, and liquidity of assets of the ward or protected person, the disposable net income of the ward or protected person, the nature of the guardianship or conservatorship, the type, duration and complexity of the services required, and any other foreseeable expenses.

the bill, the Department of Administration would establish a schedule of fees^{3/} to cover the costs, and "shall" collect those fees unless it finds that collection is not "economically feasible or in the public interest." Those criteria, while arguably a terse restatement of those in current AS 13.26.410(b), seem quite different. And while the change from a court determination to an administrative determination may "reduce the cost of operations," it may also increase the likelihood that wards and their estates pay the remaining costs. Finally, under Probate Rule 16(d), compensation for guardianship services may not be paid without written order of the court. These bill sections have the effect of amending that rule and the title does not give notice of that fact.

Section 35, which is related to secs. 33 and 34, enacts a new subsection dealing with the accounting and disposition of fees collected from wards and protected persons. The first sentence is redundant to AS 37.05.142 (enacted in 1990) and should be deleted. The language of the second sentence suggests that the program receipts from public guardianship activities of the Office of Public Advocacy would be appropriated to cover to all activities of the office, not just those related to public guardianships.^{4/} If that is the case, the sentence should be rewritten to read "The annual estimated balance in the account maintained under AS 37.05.142 may be used by the legislature to make appropriations to the Department of Administration to carry out the purposes of AS 44.21.400 - 44.21.410 (Office of Public Advocacy)." If it is not intended that the money be used to cover more than the activity for which the fees are charged, the sentence is redundant to AS 37.05.144 and bill sec. 35 should be deleted.

Sections 36 - 43 require that a one percent loan guarantee fee be added to student loans. Provision is made for the use of those fees to offset certain losses.

Section 44 gives fee-setting authority to the Department of Labor for boiler and pressure vessel inspector examinations and applications for inspector commissions.

Sections 45 and 46 eliminate statutory licensing periods and fees for plumbers' and electricians' certificates of fitness and substitute periods and fees to be established by regulation.

^{3/} The fee schedule "may be based upon the ability of the ward or protected person to pay for guardian services." In this respect, it is similar to the criteria used by the courts under current AS 13.26.410(b). However, the courts make the determination on a case by case basis. The governor's bill contemplates the adoption of a fee schedule by regulation that, presumably, can be applied on a case by case basis. It occurs to me that a schedule that complies with the new statute would either be hopelessly complex or impermissibly broad and vague.

^{4/} Given the fact that the fees could not exceed the costs, it seems unlikely that there would be sufficient program receipts to finance anything other than a portion of the public guardianship activities of the office.

Representative Bill Hudson

January 28, 1993

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Section 47 authorizes the Alaska Police Standards Council to set fees by regulation for certification applications.

Section 48 increases the statutorily set fee for employment agency permits. This is not within the title of the bill, because the title describes only the "establishment" of fees, not the increase of existing fees.

Section 49 deletes the authority of a court to appoint the Office of Public Advocacy to represent minors in certain child custody proceedings, as well as the duty to make that appointment if the parties are indigent. The governor's transmittal letter suggests that the court system has employees who perform essentially the same function. If that is the case, one would assume that OPA would not be appointed by the court unless the child needed service that only an attorney could provide. It is questionable whether this bill section really "improves" state finances by reducing operating costs. Under the law as amended by the bill, the court would still have to provide representation in certain indigency cases and the costs would have to be borne by the court system. The only savings would be to the executive branch.

Section 50 is clearly outside the title of the bill insofar as it provides for a new service, the selling of vehicle registration lists.

Section 51 is not described in the title. Although it does establish a fee, it does so by providing a new service, making certain custom motor vehicle license plates available for that fee.

Section 52 changes the standard under which free license plates are issued to handicapped or disabled persons. This section neither establishes a fee nor necessarily reduces the cost of state government. It would increase revenue, because it is likely that fewer people would qualify for free plates, but it is not certain that administrative costs would stay the same or be reduced under this provision. In fact, it is quite possible that they would increase, at least during the first year or two after enactment.

Section 53 does not establish a fee or reduce costs -- the stated intent is to increase revenue through additional sales of dealer plates by clarifying that each car entitled to display dealer plates must display two. This substantive clarification is not described in the title. This bill section and several that follow fit under the title only insofar as increasing government revenue can be said to reduce the cost of state government.

Sections 54 and 58, together with sec. 70's repeal of AS 28.10.011(12), have the stated purpose of making it clear that mobile homes are not considered vehicles for purposes of the motor vehicle laws, thereby eliminating the need for registration and motor vehicle titles. Assuming that the fees charged for registration and titling do not cover the costs, eliminating this function would reduce the cost of operating the Department of Public Safety. However, there are references to "house trailers" in the

motor vehicle laws, including a provision for a registration fee and a provision relating to false representations that a trailer is new. Neither "house trailer" nor "mobile home" are defined. I assume that the bill is addressing what is commonly called a "manufactured home" that is moved from site to site on wheels, as opposed to a recreational trailer that may be used as a home but is ordinarily not permanently affixed to a site. Would a person engaged in towing a manufactured home from one site to another need some form of trip permit or other license for the mobile home being towed? When does a house trailer become a mobile home? It appears that further amendments and clarification would be desirable if the goal is to clarify the law.

Section 55 amends the law granting senior citizens free registration of one vehicle a year to clarify that the free registration may be claimed only once a year. The current law is ambiguous. Whether this substantive clarification fits within the title of the bill is questionable.

Section 56 increases the registration fee for motor vehicles by \$10 when the registration is not conducted by mail. The fee may be waived for good cause under regulations to be adopted.

Section 57 amends AS 28.10.421(c) to provide that any vehicle registered under a company or business name must pay the commercial registration fee, even if the vehicle is not used for commercial purposes. It is questionable whether this provision fits within the title.

59 adds money received for administering group insurance programs to the program receipts that are not general fund program receipts. The governor's transmittal letter incorrectly describes this provision as exempting the monies from the definition of program receipts. The list in AS 37.05.146(4) is not a list of exemptions, it is a list of program receipts that are not considered to be general fund program receipts. It is important to understand that distinction, because it may have an effect on the justification for the bill section. The receipts will still have to be accounted for.

Sections 60 and 61 relate to the deposit of insurance claim settlements and other loss recoveries into the catastrophe reserve account. These provisions are stated to be required to facilitate compliance with federal requirements and it is said they will result in cost savings.

Section 62 authorizes the Department of Natural Resources to accept cash and other donations to support the state's parks and recreation facilities. It reduces the cost that must be paid from other revenue sources, but it does not necessarily reduce the expenditures (cost) of state government. In fact, it could just as easily increase expenditures.

Sections 63 and 71 increase the purposes for which the Department of Natural Resources may charge and collect fees.

Sections 64 and 69 eliminate the duty of the Office of Public Advocacy to provide legal representation in several types of cases involving minors. While this presumably reduces the cost of state government by eliminating services (assuming that all the services eliminated are discretionary), I question whether the title gives adequate notice of this type of change.

Sections 65 and 66 grant new fee-setting authority to the Department of Environmental Conservation.

Section 67 adds a new category of persons to the state's optional list of those eligible for federal Medicaid coverage. Assuming that this change did not change the caseload, it would reduce the state's cost to the extent of federal reimbursement. However, if this change results in an increased caseload, it saves money only until that caseload doubles, at which time it begins to cost the state money. I mention this only to point out the basic difficulty with the bill's current title: it is too broad and too subjective.

Section 68 adds the same new category to the list setting the order of priority for the various groups eligible for optional Medicaid coverage. By making the new category the last to be eliminated in the event of a shortfall of appropriations, this bill provision affects every other category in the list. This fact is not noticed in the bill's title, and this bill section neither reduces the cost of state government nor establishes a fee.

Section 70 contains the repealers, two of which have been mentioned above. Of the remaining, the repeal of AS 28.10.181(k)^{5/} and the related repeal of AS 28.22.011(a)(3),^{6/} relating to the registration of occasionally used vehicles, raises a couple

^{5/} AS 28.10.181(k) provides:

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

^{6/} AS 28.22.011(a) provides:

(a) The operator or owner of a motor vehicle subject to registration under AS 28.10.011 when driven on a highway, vehicular way or area, or on other public property in the state, shall be insured under a motor vehicle liability policy that complies with this chapter or a certificate of self-insurance that complies with AS 28.20.400 unless

(continued...)

of questions. First, does this mean that owners of these vehicles will have to register their vehicles under AS 28.10.011 and insure those vehicles under AS 28.22? I assume that it does, and these substantive changes go beyond the scope of the title of the bill. Second, if not, would they then have to obtain trip permits or the equivalent for their occasional use of the highways? If so, where are the cost savings to the department? The other repeal in sec. 70, that of AS 37.05.210(1),^{2/} is not justified by the governor's transmittal, which states that

[the section] is repealed to remove the statutory requirement for the Department of Administration to make monthly and annual reports on the financial condition and transactions of funds in the state accounting system. The department currently prepares these reports by computer on a more frequent basis. (Emphasis added)

If the reports are already prepared, and on a more frequent basis, I fail to see how repealing the provision would save money unless the reports described in the governor's transmittal would no longer be prepared.

Sections 71 - 77 contain transitional provisions and the effective dates.

ANALYSIS

Sections not described in the title. As has been noted, many provisions of this bill are either clearly or arguably not adequately described in the title. Those sections

^{2/}(...continued)

- (1) the motor vehicle is being driven or moved on a highway, vehicular way, or a public parking place in the state that is not connected by a land highway or vehicular way to
 - (A) the land-connected state highway system, or
 - (B) a highway or vehicular way with an average daily traffic volume greater than 499; and
- (2) the operator has not been cited within the preceding five years for a traffic law violation with a demerit point value of six or more on the point schedule determined under regulations adopted by the department under AS 28.15.221; or
- (3) the motor vehicle is registered under AS 28.10.181(k).

^{2/} AS 37.05.210 provides:

Sec. 37.05.210. Fiscal reporting and statistics. The Department of Administration shall

- (1) at least once each month and annually, prepare reports as of the close of the preceding month or fiscal year showing the financial condition of each fund as of the close of the respective period and the transactions of each fund for those periods;
- (2) file with the governor and with the legislative auditor before October 16 a report of the financial transactions of the preceding fiscal year and of the financial condition of the state as of the end of that year, with comments and supplementary data which it considers necessary; this report shall be printed for the information of the legislature and the public;
- (3) compile statistics necessary for the budget and other statistics required by the governor.

Representative Bill Hudson

January 28, 1993

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are: 32, 33, 34, 48, 49, 50, 51, 52, 53, 55, 57, 59, 62, 64, 68, and 70. Assuming that the bill covers a proper single subject, the cure for this problem is to redraft the title.

Reasonable notice. I have previously noted my concern that the stated single subject, "improvement of state finances," is too vague, too subjective, and overly broad. Presumably, a new tax could be placed in this bill because a new tax would clearly improve state finances. But it is highly unlikely that the court would allow that bill to stand, because "improvement of state finances" does not give reasonable notice of the enactment of a new tax. In any event, I have noted above the sections that are not described in the title, and the failure of the bill to note the change in the Rules of Court effected by secs. 33 and 34.

The single-subject rule. The fact that many of the bill's provisions appear to be outside the scope of the title suggests that the bill deals with more than one subject. In prior sessions, we have considered omnibus bills dealing with the state's financial administration that covered a wide range of government services, but had a common thread. Perhaps the broadest title we have reviewed in recent years was that of CSHB 596(FIN), a subsequent version of which became ch. 2, FSSLA 1992. That bill dealt with the " * * * powers, duties, and operations of certain state agencies * * * ." In an effort to meet, at least in part, the objections of Justice Moore's dissent in Yute Air Alaska, Inc., the title was expanded to provide notice of the specific contents. Even so, by the time that bill had passed both houses, two other bills had been rolled into it and it was our opinion that the final version was vulnerable to attack, primarily on the basis that it was a classic example of logrolling.

In analyzing a bill for single-subject problems, we go behind the title and look at the actual contents for a common thread, that one general idea that connects the various parts logically or in popular understanding. The single subject does not need to be as narrow as, for example, "liquor licenses," but it must not be so broad that the bill becomes a vehicle for logrolling and fails to give the public reasonable notice. In HB 65, a number of narrow subjects are covered. The governor has identified a common thread, improving state finance. However, as has been pointed out, that commonality is probably overly broad. Consequently, one must look for some other single subject to validate the bill.

The component parts of HB 65 deal with: liquor license duration and renewal, duties of and fees charged by the Office of Public Advocacy, student loan fees, Department of Labor fees and licensing periods, police standards fees, motor vehicle registration and insurance, program receipts accounting, risk management administration, receipt of donations by a department, charging of fees by the Department of Natural Resources and the Department of Environmental Conservation, coverage of persons under Medicaid, and fiscal reporting. Like HB 596 of the Seventeenth Legislature, those components all deal with the powers, duties, and operations of state agencies. Consequently, it may be possible to draft a title that would meet the objections relating to reasonable notice and cover the sections that are not covered by the title as introduced.

Representative Bill Hudson

January 28, 1993

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Finally, because these omnibus bills are so vulnerable to logrolling and subsequent legal attack, it would be preferable to split HB 65 into at least four bills: one dealing with licensing, fees, and financial administration; one dealing with the Office of Public Advocacy; one with motor vehicles; and one with Medicaid. The risk in keeping HB 65 together is that it would accomplish nothing to pass a law that was vulnerable to legal challenge, no matter how salutary the contents.

If I can be of further assistance, please advise.

DRD:gc

93-078.glc

HOUSE LABOR AND COMMERCE COMMITTEE

ALASKA STATE LEGISLATURE

STATE CAPITOL, JUNEAU, AK 99801-1182
(907) 465-4954



February 10, 1993

Cheryl Frasca, Director
Budget Review
Office of Management and Budget
P.O. Box 110020
Juneau, AK 99801

Dear Cheryl:

As a follow-up to our first Labor and Commerce Committee hearing on House Bill 65, I'd appreciate more information from the Administration on the following:

1. Which provisions in House Bill 65 are already incorporated into the Governor's FY '94 budget?
2. Please clarify what provisions in House Bill 65 are required by federal law.
3. Which provisions in House Bill 65 are tied to the passage of other bills, and what are they?
4. I would like an explanation on the necessity of the loan guarantee fee in Sections 36-38 and how it will be administered. What is the status of the student loan portfolio; specifically, what is its delinquency rate and how does it compare to the national average?
5. I would like an explanation from Public Safety regarding Section 58. If mobile homes are excluded as "vehicles," how will they be dealt with?
6. Which section of the bill ties into the \$93,000 to the Department of Labor?
7. From the Department of Environmental Conservation, I'd like to know if Sections 65 and 66 are tied into the Clean Air Act bill, House Bill 39, together with the '94 budget.

Respectfully,

A handwritten signature in cursive script that reads "Bill Hudson".

Bill Hudson, Chair
House Labor and Commerce Committee

WALTER J. HICKEL
GOVERNOR



P. O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

99

February 5, 1993

The Honorable Rick Halford
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Halford:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the improvement of state finances by reducing costs in the operations of certain state agencies and authorizing state agencies to defray a greater portion of their costs through the imposition of fees. A section-by-section description of this bill follows.

Sections 1 - 32 of the bill authorize biennial renewal of liquor licenses by the Alcoholic Beverage Control Board. Under this bill, all liquor licenses that are now issued for a one-year period would be issued for a two-year period. As a result of the transitional procedures in sec. 71 of the bill, each year only one-half of the licenses would be subject to renewal. The board's staff now labors under a staggering amount of renewal-related work. The effect of the bill would be to spread that workload.

Sections 33 - 35, 49, 64, and 70 (repealer of AS 13.26.410(b)) relate to the duties of the Office of Public Advocacy. The bill proposes to delete certain functions of the Office of Public Advocacy (OPA) that are considered to be duplicative of services provided by other agencies or that are not constitutionally mandated. Due to the increase in child-in-need-of-aid cases, it is crucial that the many abused and neglected children receive priority in OPA appointments.

Sections 33 - 35 of the bill would allow the Department of Administration to determine a schedule of reasonable fees for the costs of providing public guardians. The Office of Public Advocacy would be allowed to assess these fees against the estate or income of a ward or protected person for whom a guardian has been appointed, based on the financial ability on the ward or protected person to pay these costs. Currently, no fees may be assessed against any person receiving the benefit of a public guardian except upon approval by a court. This process is cumbersome and expensive for the Office of Public Advocacy, which must pay for the costs of a court hearing, including the costs of

The Honorable Rick Halford

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counsel for both sides. These changes would simplify the procedure for recouping some of these costs, and would provide for consistent application of the fee schedule, while allowing an exemption forwards or protected persons who are not financially able to pay the fees.

Section 49 of the bill would amend AS 25.24.310 to delete the requirement that OPA provide guardian ad litem representation in certain child custody proceedings. Currently, the Alaska court system has personnel denoted as "custody investigators" who perform essentially the same function as OPA in custody proceedings.

Section 64 of the bill would amend AS 44.21.410(a), regarding the powers and duties of OPA, to correspond to the amendments made by secs. 33 - 35 of the bill. Additionally, this section would eliminate the requirement that OPA provide free attorney representation to parents whose children are involved in the disposition phase of delinquency proceedings, and the requirement of free representation in cases involving adoption of a minor, a petition to remove the disabilities of a minor, or a commitment proceeding involving a minor.

Section 69 of the bill would delete the requirement that OPA represent minors in commitment proceedings, to correspond to one of the amendments to AS 44.21.410(a)(4) made by sec. 64 of the bill.

Section 70 would repeal AS 13.26.410(b), for consistency with the amendments proposed by secs. 33 - 35.

After the effective date of the sections relating to OPA in this bill, OPA would not accept new appointments for the types of cases deleted from OPA's mandate by the bill. However, OPA would continue to represent those parties in cases to which OPA was appointed before the bill's effective date.

Sections 36 - 38 would authorize the Alaska Commission on Postsecondary Education to assess a one percent guarantee fee on student loan awards made under the Scholarship Loan Program, effective July 1, 1994. These fees would be deposited into a loan guarantee fee account within the student loan fund and would be used to offset losses incurred due to student loan debt cancellation necessitated by death, disability, or bankruptcy of the student. The current statute does not allow security to be required for a loan and strictly limits the use of loan proceeds. These amendments also would provide that the loan guarantee fee be added to the loan award so that students would receive the full amount of money requested, up to the maximums set out in AS 14.43.110 and 14.43.115, to pay for their educations.

Sections 39 - 43 would authorize the same one percent loan guarantee fee to be assessed on loans under the Memorial Scholarship Loan Program, the Teacher Scholarship Loan Program, and the Family Education Loan Program. As a result, all of the student loan programs would assess a one percent loan guarantee fee on the amount of the loan awarded.

Section 44 would establish in the Department of Labor the authority to set reasonable fees by regulation for administering special inspector examinations

and processing applications for special boiler and pressure vessel inspector commissions. Currently the department does not charge a fee for processing these applications for administering the examinations.

Section 45 would eliminate the requirement in AS 18.62.020 that certificates of fitness for plumbers and electricians be valid for either a one-year or a three-year period. Under the bill, the Department of Labor would have the authority to set a time period in regulation for the certificates. This should increase the department's efficiency in processing applications for these certificates and stabilize program receipts.

Section 46 would eliminate the current statute's prescribed certificate of fitness fees for plumbers and electricians, and instead would establish authority in the Department of Labor to set reasonable fees by regulation. See AS 18.62.030. This section would also allow the department to charge a fee for duplicate certificates. These changes would enable the department to set fees for certificates of fitness in line with the actual costs incurred in issuing them, and would authorize the department to recoup expenses incurred in issuing 100 - 150 duplicate certificates each year.

Section 47 is a revenue-generating measure that would permit the Alaska Police Standards Council to adopt regulations to collect reasonable fees for processing applications for state certification of police and correctional officers and instructors who are employed by non-state agencies.

Section 48 would raise the required fee for filing an application for an employment agency permit under AS 23.15.390 from \$10 to \$100. This higher amount reflects the costs of the review done by the Department of Labor for these permits.

Sections 50 - 57 would amend AS 28 (motor vehicles) to enhance revenue through increased motor vehicle fees or to correct technical problems in the motor vehicle laws to increase the efficiency of the Department of Public Safety.

Section 50 would delete the phrase "vehicle register" in AS 28.10.071(a), which no longer is meaningful in light of current computer technology. In addition, this section would clarify the authority of the department to adopt regulations to recover the state's costs in generating computerized vehicle registration lists.

Section 51 would amend AS 28.10.181(c) to permit the issuance of special request license plates depicting Alaska wildlife and other images of life in Alaska. This change would produce revenue through the issuance of these special request plates.

Section 52 changes the eligibility for free vehicle registration and license plates for disabled persons by adopting the definition of limited or impaired ability to walk that appears in a federal regulation (23 C.F.R. 1235.2). The special license plate allows the holder to have special consideration for designated parking for the disabled. The existing statute (AS 28.10.181(d)) allows a person with at least a 70 percent disability or medical handicap to obtain vehicle registration at no charge, and, through the free special license plates, to use the designated parking even though the person may not have a disability that affects walking.

The new definition would provide for free vehicle registration and license plates to those most in need of special parking. The department should receive additional revenue from vehicle registration fees and the sale of regular license plates to those who no longer qualify under AS 28.10.181(d).

Section 53 clarifies an ambiguity in AS 28.10.181(j) by explicitly requiring that car dealers use two dealer plates on each vehicle permitted to have dealer plates (all license plates are issued in pairs). The somewhat confusing language of the existing statute has allowed some dealers to split a pair of plates between two vehicles. The Department of Public Safety should receive increased revenue through the sale of additional plates to dealers.

Sections 54 and 58, and the repeal of AS 28.10.011(12) in sec. 70, together make clear that mobile homes are not considered "vehicles" for purposes of administering motor vehicle laws. Under the changes made by these sections, the Department of Public Safety, division of motor vehicles, will no longer provide registration and motor vehicle titles for mobile homes.

Section 55 would clarify that senior citizens are entitled to free vehicle registration of only one vehicle once each calendar year. This change is needed in order to avoid significant difficulties and administrative costs encountered in maintaining proper registration when senior citizens buy, sell, or trade vehicles during the year and claim free registration on more than one vehicle during the year.

Section 56 provides an additional registration fee of \$10 for vehicle registration not done by mail. This section would provide an incentive for people to use the mail for vehicle registration. This should alleviate some of the delays that most people are encountering at division of motor vehicle field offices and allow DPS staff to function more efficiently. This section also allows the department to adopt regulations to waive the additional fee in appropriate circumstances.

Section 57 would clarify AS 28.10.421(c) by requiring that companies and businesses that register vehicles in their company or business name must pay commercial registration fees, and cannot avoid paying those fees by claiming that the vehicle is not used for commercial purposes.

Section 59 exempts money that the state receives for administering the group insurance programs established under AS 39.30.090 (primarily health insurance programs) from the definition of "program receipts" in AS 37.05.146. This change will result in accounting efficiencies being saved in the Department of Administration's ongoing operations and cost-savings to the state.

Sections 60 and 61 of the bill amend AS 37.05.289, the State Insurance Catastrophe Reserve Account (Account), by providing that payments to the state of insurance claim settlement money and money received by the state as recovery for losses, are to be deposited directly into the Account (which is in the general fund). Presently, such money that is received by the division of risk management must be credited to the general fund and is appropriated to the state agency to which the payment is related. The United States Department of Health

& Human Services' division of cost allocation has determined that certain insurance recovery money must be returned to the Account (from which federally funded state agencies have been charged premiums through division of risk management "Cost of Risk" allocations). The federal government demands that a portion of such insurance recoveries be refunded to the appropriate federal program.

By allowing for insurance settlement and claims recovery money to be deposited directly into the state insurance catastrophe reserve account, future premium assessments are expected to be reduced and the state will be in compliance with federal cost allocation standards. An appropriation would still be required before expenditure of money in that account. Additionally, the new procedures should reduce the considerable accounting required with the present system.

Section 62 would clarify the authority of the Department of Natural Resources to accept cash or other donations to support the system of state parks and recreational facilities.

Section 63 would expand the authority of the Department of Natural Resources to collect reasonable fees for services provided in state parks. It would add several new categories of park fees, including sale of firewood, sale of park-related merchandise, entrance fee into visitor centers and historic sites, sale of plans and graphic materials, day use fees, and fees for park-related programs. The bill, in sec. 71, also would set a temporary fee schedule for certain of these services, to be used until the Department of Natural Resources sets the fees by regulation. In the fourth year of a phased implementation schedule, these new fees are expected to raise around \$400,000.

Sections 65 and 66 of the bill would amend, and add a new subsection to, AS 44.46.025 to provide the Department of Environmental Conservation (DEC) with increased authority to charge fees to offset the direct costs of various programs designed to avoid and rectify pollution, to ensure healthy and safe public facilities, and to assist business in complying with local, state, and federal environmental standards. An existing statute presently limits DEC's authority to charge fees to certain enumerated subject areas, and further limits DEC's fee authority to specified services related to those subjects. Thus, DEC may charge a fee to reflect the costs associated with the issuance of a permit for a hazardous waste facility, but may not charge a fee when a permit is not issued (either because the application is withdrawn or a permit is determined not to be necessary), even though DEC incurs costs in reviewing the application. This results in the permitted facilities shouldering an inequitably large share of the cost of the hazardous waste management program.

Section 65 would rectify this problem in several ways. First, it would amend the introductory clause of AS 44.46.025(a), to allow DEC to charge fees for any services relating to the programs listed in (a), not just the underinclusive listing of activities now set out in the law. This amendment recognizes that DEC employs methods other than permits and inspections in its activities.

Second, through sec. 65, the itemized list of programs in the subsection would be modified and expanded, to allow the DEC to charge fees reflecting the direct costs

of: (1) management of hazardous waste, not just permitting costs; (2) approvals of sites for hazardous waste management facilities; (3) control of solid waste facilities, and permits for those facilities, including wetlands permits (assuming state assumption of the wetlands permitting process that is currently handled by the United States Army Corps of Engineers); (4) reviews of sewage and industrial waste disposal or treatment plans; (5) oversight of the application of pesticides and broadcast chemicals; (6) inspection, testing, or other regulation of a wider variety of service facilities; (7) certification of private laboratories that will conduct a variety of environmental analyses for profit; (8) state testing for and issuance of certificates of inspection for motor vehicles; (9) certification of federal permits or authorizations under the federal Clean Water Act; and (10) filing of information with the Alaska State Emergency Response Commission.

Section 66 would revise the existing fee language relating to the air quality permit program, removing it from AS 44.46.025(a) and placing it in a new subsec. (c) of AS 44.46.025. This new subsection authorizes DEC to set fees for program services to cover indirect costs of the program, as well as direct costs. This change is incorporated in the bill because air quality permit program fees must reflect both indirect and direct costs to meet requirements of the federal Clean Air Act.

Section 67 would amend AS 47.07.020(b) to add a new category of persons to the state's optional list of those eligible for federal Medicaid coverage. Through the amendment, the state could claim federal matching money for medical costs now paid entirely from state money. Children under age 21 who are eligible for adoption assistance under AS 25.23.190 - 25.23.220 because of special medical or rehabilitative needs would be added to the optional Medicaid-eligible list under this provision.

Section 68 would amend AS 47.07.035, which lists the order of priority in which groups eligible under the optional Medicaid program will be eliminated from Medicaid coverage when there are insufficient appropriations to cover all optional services and groups. This bill would add, as para. (28) in this list, persons under age 21 who are eligible for adoption assistance due to special medical or rehabilitative needs. Placement of this group as number 28 would mean that this group would be the last to be eliminated for Medicaid coverage in the event of a shortfall of appropriations.

Section 70 repeals certain provisions of Alaska law. AS 13.26.410(b) would be repealed to make a necessary conforming amendment to facilitate the collection of fees by OPA as set out in secs. 33 - 35 of this bill. AS 28.10.011(12) is repealed to remove a reference to mobile homes from AS 28, as described earlier in this letter. AS 28.10.181(k) is repealed to allow the Department of Public Safety (DPS) to no longer register vehicles that are only occasionally used on a highway. This repeal should reduce the workload for DPS, as well. AS 28.22.011(a)(3) is repealed to make a technical amendment to mandatory motor vehicle insurance to conform to the repeal of AS 28.10.181(k), relating to occasional used vehicles. Finally, AS 37.05.210(1) is repealed to remove the statutory requirement for the Department of Administration to make monthly and annual reports on the financial condition and transactions of funds in the state

The Honorable Rick Halford

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accounting system. The department currently prepares these reports by computer on a more frequent basis. The repeal would leave intact the Department of Administration's responsibility to file a year-end report on the financial condition of the state, including financial transactions from the preceding fiscal year.

Section 73 would give transitional authority to allow state agencies to begin the process to adopt regulations as soon as the bill is signed into law, so long as the new regulations do not become effective before the respective effective dates of the relevant sections of this bill. Section 74 of this bill would give this section an immediate effective date.

Section 74 also would provide an immediate effective date for the transitional sections related to temporary fees in state parks and staggered expiration of licenses issued by the Alcoholic Beverage Control Board.

Section 75 would provide a July 1, 1993 effective date for the majority of sections of the bill to coincide with the start of state fiscal year 1994.

Section 76 would provide an effective date of December 31, 1993 to allow a uniform date for the changing from annual to biennial licenses issued by the Alcoholic Beverage Control Board.

Section 77 would give secs. 36 - 43 of this bill an effective date of July 1, 1994 to allow the Alaska Commission on Postsecondary Education to institute the uniform fee assessment for the 1994 - 1995 academic year.

I urge your favorable consideration of this bill.

Sincerely,

A handwritten signature in cursive script that reads "Walter J. Hickel". The signature is written in dark ink and is positioned above the printed name and title.

Walter J. Hickel
Governor

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1796
PHONE: (907) 465-2400
FACSIMILE: (907) 586-2754

February 18, 1993

Honorable Senator Tim Kelly, Chair
Senate Labor and Commerce Committee
Capitol Building, Room 101
Juneau, Alaska 99801

Dear Senator Kelly;

It was a pleasure to represent the Department of Natural Resources before your committee's hearing regarding Senate Bill 99. There were several questions that required follow on information which I am providing here.

You expressed concern that the department not start charging so much for admission or other fees at state parks that we negatively impact the ability of the average Alaskan to enjoy these facilities and reduce thereby his or her quality of life.

Response: Until 1988, state recreation facilities and services were free. After gaining legislative authorization, we began a system of user fees for the most common services in parks, including overnight camping, boat launching, sanitary dump stations, overnight rental of cabins, and guided tours of historic sites. This fee authority removed most of the potential for unfair competition with privately operated "for profit" facilities.

The user fee system generated more than \$1 million in FY 1992. These funds are usually reappropriated by the legislature back to the state park system, through the "Program Receipts" mechanism. With budget reductions for operation of parks, our only alternative would be to reduce the number of parks unless more fees are generated. We estimate that by charging a day use fee of \$1-2 per vehicle we can generate an additional \$400,000 in revenues for the state. Enclosed is a projection of revenue potential.

I've also attached a map showing the location of the state parks with facilities and a fact sheet entitled "State Park Fees". Attached also is a survey done by Hellenthal & Associates, Inc done in February of 1992 showing overwhelming public support for user fees.

Senator Rieger asked about annual passes.

Response: The proposed annual day use pass is \$25. The existing annual camping pass for all state parks is \$75. The boat launching annual pass is \$50. A combination pass for camping and boat

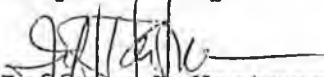
Senator Kelly
February 18, 1993

2

launching is available for \$100.

I hope this information is helpful to the committee members. I will be pleased to respond to your further interest in the department's programs.

Respectively


Jeffrey D Hartman
Assistant Director
Administrative Services

Attachments:

1. Fact Sheet: State Park Fees
2. Division of Parks Fax "Revenue Potential From Day Use Fee Bill
3. Hellenthal & Associates Survey on park user fees
4. DNR Map Alaska State Parks

cc: Senators: Rieger; Pearce; Salo; Lincoln.

Fact Sheet:

State Park Fees



Division of Parks & Outdoor Recreation • Feb. 1992

Alaska's state park system, with more than three million acres, is the largest in the United States. Six million visitors use state park facilities each year—about 25 percent from outside Alaska. The state spends more than \$5 million each year to operate the 132 park units and 2500 campsites, but a user fee is also needed to adequately maintain the parks and provide for the growing number of park visitors. In 1988, Alaska became the last state to begin charging for the use of its recreation facilities. There are also fees for cabins, tours of historic sites, permits for commercial and non-commercial activities, and use of boat launches and sanitary dump stations.

What are the fees?

Campsites (one site for one night):

- Eagle River Campground, Anchorage: \$12
- Eklutna Lake Campground, Anchorage: \$10
- Chena River Campground, Fairbanks: \$12
- All other state park campgrounds: \$6 or \$8
- Large group campsites: \$25, or \$1 per person, whichever is greater

Annual camping pass: \$75

Sanitary dump station: \$3

Boat launches:

- \$3 to \$5 per day
- annual boat launch pass, \$50

Guided tours of historic sites: \$1 to \$3

Non-commercial use permit: \$25

Commercial use permit: \$50 per application

- Alaska residents: \$150 when permit is issued
- Non-residents: \$450 when permit is issued
- Wood-Tikchik State Park: \$250 when permit is issued
- Kenai River fishing guides:
 \$450 for Alaska residents
 \$1,350 for non-residents
- A per-client fee or percentage of estimated gross receipts may also be charged

Public-use cabins:

- Oliver Inlet, near Juneau: \$25 per night
- Nancy Lake, Mat-Su: \$25 per night for four people and \$5 for each additional person. There is no charge for children five years or younger.
- Chena River, near Fairbanks: \$25 per night

- Shuyak Island, Kodiak: \$25 per night per person, up to \$50, June - November; \$15 per night per person, up to \$30, December - May;

To reserve a cabin, call the state park office closest to the cabin you want to reserve.

Are fees charged for all campsites?

Fees are charged only for developed campsites with access to fireplaces, tables, water and restrooms. A campsite may be occupied by no more than 12 people.

Is there an annual camping pass?

Yes. A \$75 annual pass good for the calendar year is honored in all state parks. The pass is a decal that attaches to the front windshield of a vehicle, or onto a bicycle or motorcycle. Passes cannot be transferred and can be used on only one vehicle. The pass is subject to the camping stay limit in each campground, usually 3 to 15 continuous days.

Where can I buy an annual pass?

Send a check or money order, payable to the State of Alaska, to:

Alaska Camping Pass
Division of Parks and Outdoor Recreation
P.O. Box 107001
Anchorage, AK 99510-7001

Passes are also available at the state park offices listed on the back of this page.

How are nightly campground fees collected?

Fee stations are located at all campground entrances. Campers pick a campsite, write the campsite number on an envelope at the fee station, put the fee in the envelope and place the envelope in a metal canister, called an *iron ranger*. Signs at the fee stations explain how to pay.

State park rangers regularly patrol campgrounds to answer visitors' questions and to check for compliance with the fee policy. There are volunteer hosts in many campgrounds to help visitors but they do not collect fees.

Campsites are available on a first-come, first-served basis. Sites cannot be reserved in advance.

continued on back

Are discounts available?

A discount is offered for an annual camping pass and an annual boat launch pass purchased at the same time. The \$100 combined rate is \$25 less than buying the passes separately.

Also, Alaska veterans with a service-completed disability may receive a free annual camping pass.

Is there a fee for a second vehicle at a campsite?

There is not usually a fee if the second vehicle fits within a designated numbered parking space, without hindering traffic, and remains in that space. However, check signs and bulletin boards to see if the fee is per site or per vehicle in that particular campground.

Can I use my pass in a campground that is not in a state park?

No. State park campground passes cannot be used in federal, municipal or private campgrounds. Also, passes issued by other agencies are not honored in state parks.

What is the fee for a guided tour of an historic site?

A fee of up to \$3 per person may be charged, but in many parks only a donation is requested.

Is there a fee for daytime activities?

There is no entrance fee or charge for most day use activities in state parks. Nor is there a fee for overnight parking at a trailhead while away hiking.

What are non-commercial use permits?

These are for activities such as competitive or promotional events, constructing or placing improvements on park land or water, research projects, motorized access across closed areas, or incompatible activities.

Where does the money go?

Revenue from park user fees is used to operate, maintain and improve park facilities in the area where it was collected.

Questions?

Contact one of the following offices of the Division of Parks & Outdoor Recreation:

Anchorage

Southcentral Region Office
3601 C Street, Suite 1280
P.O. Box 107001
Anchorage, Alaska 99510-7001
762-2617

Chugach State Park Headquarters

Potter Section House
Mile 115, Seward Highway
HC 52 Box 8999
Indian, Alaska 99540
345-5014

Fairbanks

Northern Region Office
3700 Airport Way
Fairbanks, Alaska 99709-4613
451-2695

Juneau

Southeast Region Office
400 Willoughby Avenue, 3rd Floor
Juneau, Alaska 99801
465-4563

Kodiak

Kodiak Area Office
Fort Abercrombie State Historic Park
Fort Abercrombie Drive
SR Box 3800
Kodiak, Alaska 99615
486-6339

Palmer/Wasilla

Mat-Su/Copper Basin Area Office
Finger Lake State Recreation Area
Mile .7 Bogard Road
HC 32 Box 6706
Wasilla, Alaska 99687-9719
745-3975

Soldotna

Kenai Area Office
Morgan's Landing State Recreation Area
P.O. Box 1247
Soldotna, Alaska 99669
262-5581

REVENUE POTENTIAL FROM DAY USE FEE BILL

	Visitation	Fee Potential
Visitor center entrance fees (\$1 per person)		
Eagle River	37,993	8,000
Wickersham House	15,177	4,000
Day use fees (\$2 per vehicle)		
Northern		
Quartz Lake	44,475	3,000
Harding Lake	37,715	3,000
Chena River SRS	149,525	12,000
Angel Rock (Chena River SRA)	NA	3,000
Colorado Creek (Chena River SRA)	NA	1,000
Tors Trailhead (Chena River SRA)	NA	2,000
Red Squirrel (Chena River SRA)	NA	1,000
Chugach		
Eklutna Lake	138,010	10,000
Thunderbird Falls	51,551	4,000
Eagle River	156,651	6,000
Glen Alps	55,839	4,000
McHugh Creek	53,727	5,000
North Fork Eagle River	NA	3,000
Bird Creek	105,444	8,000
MatSu/Copper Basin		
Willow Creek	NA	5,000
Little Susitna (ADFG)	59,112	6,000
Big Lake North	84,275	8,000
Big Lake South	39,929	3,000
Independence Mine	129,298	10,000
Kepler-Bradley	23,036	3,000
Southeast		
Settler's Cove	169,315	12,000
Totem Bight	377,747	5,000
Kenai		
Crooked Creek	57,789	5,000
Bing's Landing	62,744	3,000
Scout Lake	12,325	1,000
Slikok Creek	17,124	1,000
Morgan's Landing	43,225	5,000
Captain Cook	173,710	6,000
Clam Gulch	124,931	5,000
Ninilchik Beach	59,585	5,000
Deep Creek	134,425	8,000
Anchor River SRA	124,779	5,000
Subtotal		161,000
Annual day use passes (\$25)	6,500	162,000

AREAS OF ALASKA AMONG ALL ADULTS
 BY
 RECREATIONAL AND GENERAL DEMOGRAPHICS, BEHAVIORS AND PERCEPTIONS

COLUMN PERCENTS
 FEBRUARY 11TH THROUGH 18TH, 1992
 SAMPLE SIZE = 602; MARGIN OF ERROR = + OR - 3.99%

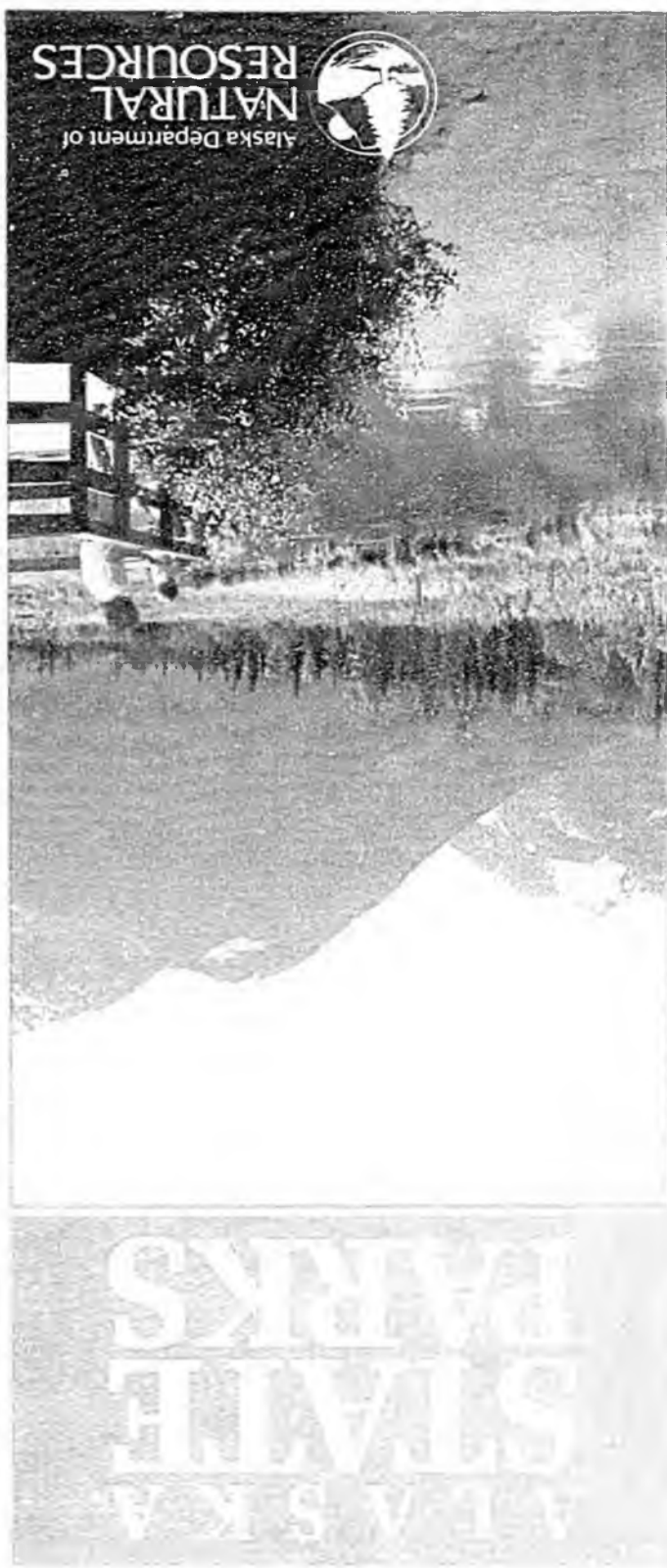
	AREAS OF ALASKA:			TOTAL
				COL. %
	South-	Rail-	Rural	
	east	belt		
	+/-6.90	+/-6.93	+/-6.93	
\$10 OFF PERMANENT FUND?				
Approve.....	73.4%	74.9%	71.9%	74.3%
Disapprove.....	24.5%	23.1%	27.2%	23.8%
Neutral/Don't Know.....	2.1%	2.0%	.9%	1.9%
\$0.01 PER GALLON TAX?				
Approve.....	48.3%	53.9%	52.6%	53.1%
Disapprove.....	50.8%	44.5%	44.4%	45.3%
Neutral/Don't Know.....	.9%	1.5%	3.0%	1.6%
RV REGISTRATION FEES?				
Approve.....	86.5%	88.5%	81.2%	87.3%
Disapprove.....	10.9%	10.5%	11.9%	10.7%
Neutral/Don't Know.....	2.6%	1.0%	7.0%	2.0%
STATE LOTTERY?				
Approve.....	64.2%	65.6%	66.8%	65.6%
Disapprove.....	31.8%	32.9%	28.4%	32.2%
Neutral/Don't Know.....	3.9%	1.5%	4.8%	2.2%
MAINTAIN OR DEVELOP?				
Maintain Existing Facilities.....	74.4%	77.4%	59.5%	74.7%
Develop New Facilities.....	20.6%	21.6%	35.5%	23.3%
Don't Know.....	4.9%	1.0%	5.0%	2.0%
WILLING TO PAY USER FEES?				
Yes.....	83.4%	84.0%	82.7%	83.7%
No.....	16.6%	16.0%	17.3%	16.3%
TOTAL ROW PERCENT.....	12.2%	74.8%	13.0%	100.0%



ALASKA STATE PARKS



NATURAL
RESOURCES



ALASKA STATE PARKS
 For your enjoyment safely and completely

FILE A TRIP PLAN before heading into the backcountry. Contact the nearest ranger station and let them know where you're going and when you plan to return. They will have information on backcountry travel conditions, equipment and safety.

WEATHER can change rapidly and with little warning. Even in summer, visitors may encounter cold temperatures, strong winds, and rain or snow. Be prepared with adequate clothing and, when planning a long hike or boat trip, carry extra food and water in anticipation of delays due to weather.

MOSQUITOS are famous in Alaska and can be a problem from June through August. Be prepared with your favorite repellent and a long-sleeved shirt.

GIARDIASIS, an intestinal disease contracted from water containing the parasite *Clostridium lamblia*, is a growing problem in Alaska. All water, even icy cold or fast moving water, must be boiled for at least one full minute, or filtered with a commercial filter, or treated with chemicals to make it safe to drink.

GLACIERS may be covered with snow that hides deep crevasses. Park visitors should not venture onto a glacier unless well-equipped and experienced.

TIDES in many coastal areas of Alaska are extreme, with powerful currents as fast as 20 miles per hour. Some of Alaska's tide flats are composed of a gray clay that acts as a binding quicksand which, along with rushing, incoming high tides, makes a dangerous combination. Bore tides near Anchorage are interesting to watch, but do not walk out onto tide flats.

BOATING, CANOEING, RAFTING & KAYAKING in Alaska require special precautions because of Alaska's cold, and often treacherous, water. If you capsize, it is usually wise to stay with the boat, wait for rescue help, and not try to swim to shore. Hypothermia and death can result after only a few minutes of exposure in cold water. Check with park rangers for information on boating trips and proper equipment.

WILDLIFE should never be approached or fed. Don't surprise wildlife. Make noise or ring bells when in the woods to warn animals of your presence.

MOOSE



WILDLIFE: Creatures in the wild are fun to watch, but must be treated with respect, for your safety and their protection. Animal signs are everywhere and can add interest to your park visit. Look for tracks, signs of feeding (nibbled branches, chewed bark) and animal droppings. They will all help tell you which animals are nearby.

BEARS are unpredictable and should always be considered dangerous. Keep your campsite clean and wash food odors from your hands and clothing. Never take food into your tent. Put garbage in the proper containers or take it out of the park with you.

MOOSE feed on young birch and other tender vegetation. Do not approach moose. They can be very dangerous, especially females with their young. Take pictures but keep a respectful distance!

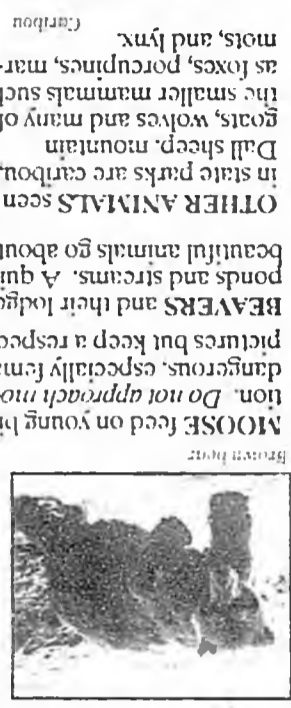
BEAVERS and their lodges abound in Alaska's lakes, ponds and streams. A quiet observer can watch these beautiful animals go about their work.

OTHER ANIMALS seen in state parks are caribou, Dall sheep, mountain goats, wolves and many of the smaller mammals such as foxes, porcupines, martens, and lynx.

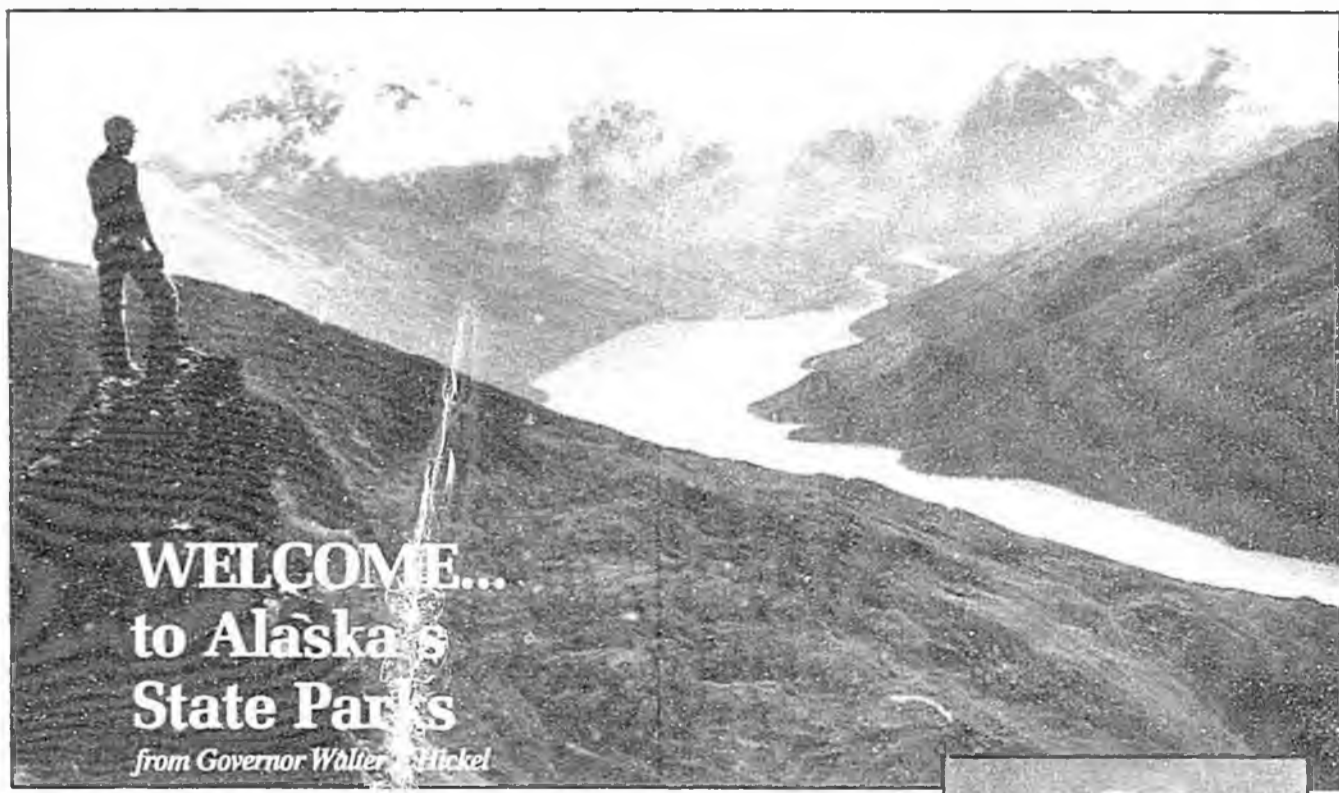
NESTING WATER BIRDS are fascinating to observe. Ducks, geese, swans and other birds are beautiful. Watch, take pictures, but please don't disturb.

BALD EAGLES can be seen in great numbers in many of our parks. Watch for this majestic bird near salmon streams, but do not enter feeding areas.

WILLOW PTARMIGAN, Alaska's state bird, can be spotted in all seasons unless their camouflage works too well. Look for a mottled, brown bird in the summer and a snow-white one in winter.



Look out for



**WELCOME...
 to Alaska's
 State Parks**
 from Governor Walter J. Hickel



Governor
 Walter J. Hickel

Welcome to our parks. I hope this brochure will guide you through many happy journeys in Alaska's State Parks.

With over three million acres, ours is the largest state park system in the United States and it holds nearly one-third of America's state park acreage.

More than 100 state park units stretch from the rain forests and fjords of Southeast through the glacier-carved mountains of central Alaska and to the rolling hills and birch forests of the Interior. Our parks range from scenic roadside campgrounds where visitors can find trails to hike, beaches to comb, and fish to catch -- to the large wilderness parks where backcountry recreation opportunities seem endless.

Whether you are a roadside traveler, backcountry explorer, history buff, or out for a Sunday stroll, our parks offer experiences as diverse as the state itself.

You will find links to Alaska's past that are protected and interpreted at historical parks and sites across the state.

Hundreds of wildlife and bird species are at home in our parks. We hope you'll play a favorite Alaskan sport -- wildlife spotting -- and be rewarded by seeing moose, caribou, mountain goats, and sheep, and maybe even a grizzly bear.

The bald eagle is the state park symbol, and birdwatchers enjoy frequent sightings of eagles -- and some of Alaska's 337 other bird species. If you're a coastal traveler, you may see whales, sea lions, otters and seals, or catch your share of trout, salmon and other game fish in our rivers, lakes and coastal waters.

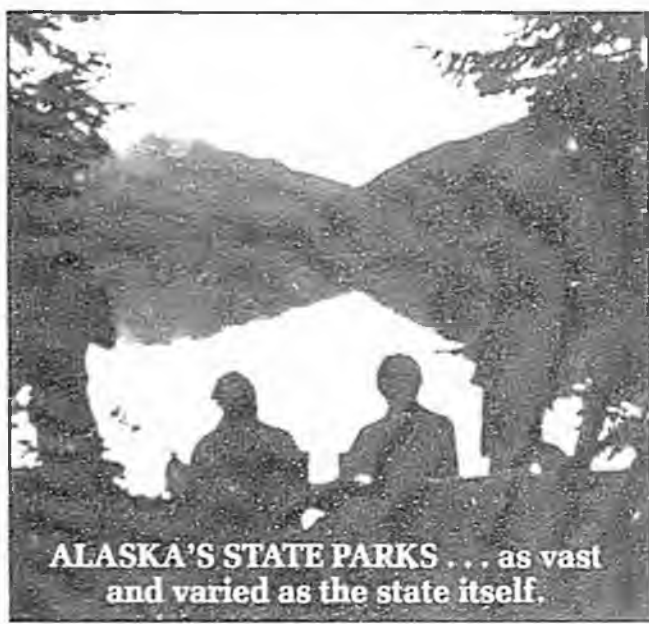
We think of our state parks as a gift to our citizens -- those from outside and inside Alaska. Most of the pleasures of our parks are free of charge. What do we ask in return? Only that you respect our rules, enjoy our beautiful parks, smile at your fellow travelers, and come back soon.

ALASKA STATE PARKS
 Department of Natural Resources
 Division of Parks & Outdoor Recreation
 3601 'C' Street
 P.O. Box 107001
 Anchorage, Alaska 99510-7001



ALASKA'S STATE PARKS
 ... as vast and varied
 as the state itself.

This publication was released by the Department of Natural Resources to inform the public of activities and services available in Alaska State Parks. Printed in Anchorage, Alaska at a cost of 185 cents per copy.



ALASKA'S STATE PARKS . . . as vast and varied as the state itself.



Camping on Kesugi Ridge above Byers Lake in Denali State Park.



Rika's Roadhouse, circa 1909, is located at Big Delta State Historical Park.

BIG DELTA STATE HISTORICAL PARK, located on the Tanana River, commemorates the days of roadhouses in Alaska's history. Rika's Roadhouse, located in the park, was a major stop for travelers. Guided tours through the building, a museum and a food concession are available. There is an interesting view of the trans-Alaska pipeline from this site.



Dog mushing is a favorite sport in Interior Alaska.

CHENA RIVER STATE RECREATION AREA, on the Chenai Hot Springs Road, is less than an hour's drive from Fairbanks. It offers a full range of recreation including fishing, boating, and camping. Canoeing on the Chena River and hiking to prominent granite formations in the alpine country are popular summer activities. Winter adds snowmachining, cross-country skiing and dog sledding. Beavers, moose and bears are numerous and often spotted by visitors to the park.



KACHEMAK BAY STATE PARK

is undeveloped, but accessible by plane or boat from Homer, at the tip of the Kenai Peninsula. Alaskans rate this park extremely high for its scenic, wild mountain terrain, fjords, coves and vast glacier fields. Boating, fishing and beachcombing are outstanding. There are primitive campsites and trails to high mountain lakes & glaciers.



Sailing in Kachemak Bay.



CHUGACH STATE PARK is an accessible wilderness in the backyard of Anchorage, home of half of Alaska's population. Wildlife viewing and mountain scenery are year-round pleasures and campers can choose developed campgrounds or secluded backcountry valleys. The 495,000 acre park is popular with hikers, climbers and cross-country skiers. The Eagle River Visitor Center and the Potter Section House Historic Site offer interpretive displays and programs.

The Chugach Mountains dominate Anchorage's skyline.



Bald eagles gather at the Chilkat River each fall.



ALASKA CHILKAT BALD EAGLE PRESERVE, near Haines, is the site of the largest congregation of bald eagles in North America. Three thousand eagles flock to this five-mile stretch of the Chilkat River each fall to feed upon salmon. The ranger office in Haines has information on the best areas to view eagles without disturbing them.

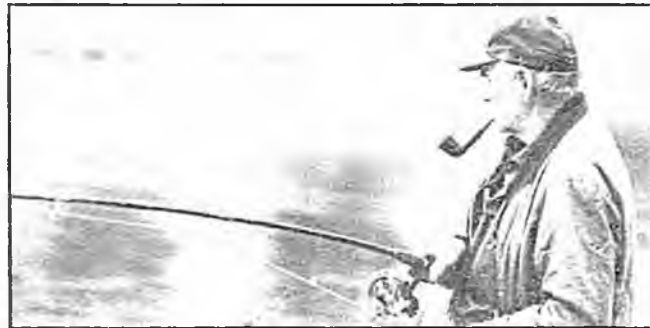


DENALI STATE PARK takes its name -- Denali -- from the tallest peak in North America (also known as Mt. McKinley). Denali means "the great one" in the Tanaina Indian dialect. The park, about 130 miles north of Anchorage, offers outstanding views of Denali from the highway, and the trails to Kesugi Ridge afford famous views of the mountain. A brochure is available that tells about camping, boating, hiking trails and other features of the park.



The mill building at Independence Mine.

INDEPENDENCE MINE STATE HISTORICAL PARK features the abandoned buildings and machinery of a 200-worker camp and hardrock gold mining operation which was one of Alaska's greatest gold producers in the 1930s. This park, less than a two-hour drive from Anchorage, is located in the rugged Talkeetna Mountains. The mine manager's house and assay building have been restored and offer interpretive displays and visitor information. The historical spirit and a ghost-town flavor of the area can be experienced on a walking tour of the mining camp. Heavy winter snowfalls offer great cross-country skiing.



The Kenai Peninsula is the most popular fishing area in Alaska.

CAPTAIN COOK STATE RECREATION AREA, 30 miles north of Kenai, has about 3,500 acres of saltwater beaches, forests, lakes and rivers. There are several drive-in and remote campgrounds as well as picnic areas on high bluffs overlooking Cook Inlet. The area has trails for skiing and hiking, good fishing, a small boat launch and a swimming beach.



Kayaking in Prince William Sound.

PRINCE WILLIAM SOUND STATE MARINE PARKS are undeveloped parks on the shores of Prince William Sound, about 60 miles east of Anchorage. The Sound offers views of tidewater and upland glaciers, forested islands, and fjords surrounded by mountains rising to 13,000 feet. The scenery and wildlife, including brown and black bears, whales, otters, eagles, salmon and many species of marine birds, make it a favorite area for boating, hiking, and photography. Boats can be chartered in Whittier and Valdez.

TOTEM BIGHT STATE HISTORICAL PARK, near Ketchikan, is dedicated to Southeastern Alaska's Native cultures. An interpretive trail winds through the rain forest to a clan house and Tlingit and Haida totem poles, then on to a fine view of the Tongass Narrows.



Rangers interpret totem tales at Totem Bight State Historical Park.



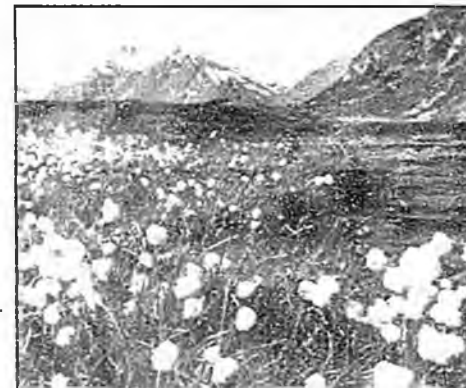
A view from the coastline trail in Chilkat State Park.

CHILKAT STATE PARK, south of Haines on the Chilkat Peninsula, offers spectacular views of glaciers across the Chilkat Inlet. Visitors often spot whales, seals and other wildlife from the coastline trail. There are campgrounds, picnic areas and a boat ramp.

NANCY LAKE STATE RECREATION AREA is one of the few lake-studded landscapes in Alaska preserved in its natural state for recreation. It's ideal for canoeing, fishing and boating on a network of more than 130 lakes and ponds. Visitors will find camping areas, hiking and skiing trails, a system of canoe portages, and twelve public rental cabins. The area is well used in winter by dog mushers, skiers and snowmachiners. The park is just south of Willow on the Parks Highway. Call 495-6273 for a recorded message on recreation opportunities and conditions.



Winter in Alaska has its own special beauty and outdoor activities.



Alaska cotton grass grows in alpine tundra near Worthington Glacier.

WORTHINGTON GLACIER STATE RECREATION AREA features a short trail leading right to the blue ice of the glacier. High alpine tundra and many hanging glaciers make this an excellent area for photographers. A log cabin visitor center at Glennallen is filled with displays on the area's wildlife, geology, and recreational opportunities.

FORT ABERCROMBIE STATE HISTORICAL PARK is perched on a forested headland northeast of Kodiak Island. Visitors can explore the remains of an artillery



A bunker built at Fort Abercrombie during World War II.

fort which commemorates the history of World War II in Alaska. There are a campground, a picnic area, a fresh water lake and spectacular ocean views. Trails wind through open meadows and under massive Sitka spruce stands. A ranger station provides visitor information.



With 1.5 million acres of wilderness, Wood-Tikchik is the largest state park in the United States.

WOOD-TIKCHIK STATE PARK, bounded by rugged mountains to the west and open tundra to the east, is Alaska's most remote state park, and the largest state park in the United States. Visitors are attracted by superb fishing and boating in the Tikchik Lakes and Wood River Lakes. Private lodges offer visitor services and sport fishing packages by advance reservations only. The park is 300 air miles west of Anchorage and is accessible by charter flight from Dillingham.

CHUGACH SOUTHWEST AREA OFFICE

3601 C Street, Suite 1250
P.O. Box 107001
Anchorage, Alaska 99510-7001
(907) 345-5014

Unit #	Unit Name	Acreage	CAMP SITES*	CAMPING LIMIT (DAYS)	PICNIC SITES	TOILETS	DRINKING WATER	PICNIC SHELTERS	TRAILS	HISTORICAL FEATURES	BOAT LANDING	ISLAND	NEAREST COMMUNITY	Location
77	Chugach SP	495,204												
	• Eklutna Campground	50 15	F										Eagle River	26.5 Glenn Hwy.
	• Thunderbird Falls SF	3	T										Anchorage	25.5 Glenn Hwy.
	• Eagle River Campground	50 4 12	S										Anchorage	12.6 Glenn Hwy.
	• Eagle River Visitor Center		F										Anchorage	12 Eagle River Road
	• McHugh Creek Picnic Area												Anchorage	111 Seward Hwy.
	• Bird Creek Campground	25 7	W S										Anchorage	101.5 Seward Hwy.
	• Old Johnson Trail												Anchorage	101-114 Seward Hwy.
HILLSIDE TRAIL SYSTEM														
	• Prospect Heights												Anchorage	Up O'Malley Prospect
	• Upper Huffman	8											Anchorage	Upper Huffman
	• Glen Alps		W										Anchorage	Upper Huffman
78	Potter Section House SHS	5	W										Anchorage	115 Seward Hwy.

SOUTHWEST (See Chugach Southwest address) Dillingham office (907) 842-2375

79	Wood-Tikchik SP	1,555,200	3	15	T								Dillingham	Access by plane & boat
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PUBLIC RENTAL CABINS are available in several state parks. There are cabins at Chena River SRA near Fairbanks and Nancy Lake SRA near Willow. Cabins at Oliver Inlet, a southeast state marine park, and in Shuyak Island State Park north of Kodiak, are accessible by plane or boat. Regional park offices have information on cabin reservations.

CAMPGROUND FEES A \$6 per night overnight camping fee is charged at most developed campgrounds, except Eagle River (\$10), Bird Creek (\$8), and Eklutna (\$8) in Chugach State Park near Anchorage, Tok area campgrounds (\$8), and Chena River State Recreation Site in Fairbanks (\$12 per night). An annual camping pass, which authorizes unlimited camping for the calendar year subject to the camping stay limit in each campground, is available. Annual camping passes cost \$60 for Alaska residents and \$75 for non-residents and may be purchased from any state park office or from park rangers. To order a pass by mail, send a check or money order payable to "State of Alaska" to Annual Camping Pass, P.O. Box 107001, Anchorage, Alaska 99510-7001.

KENAI PENINSULA AREA OFFICE

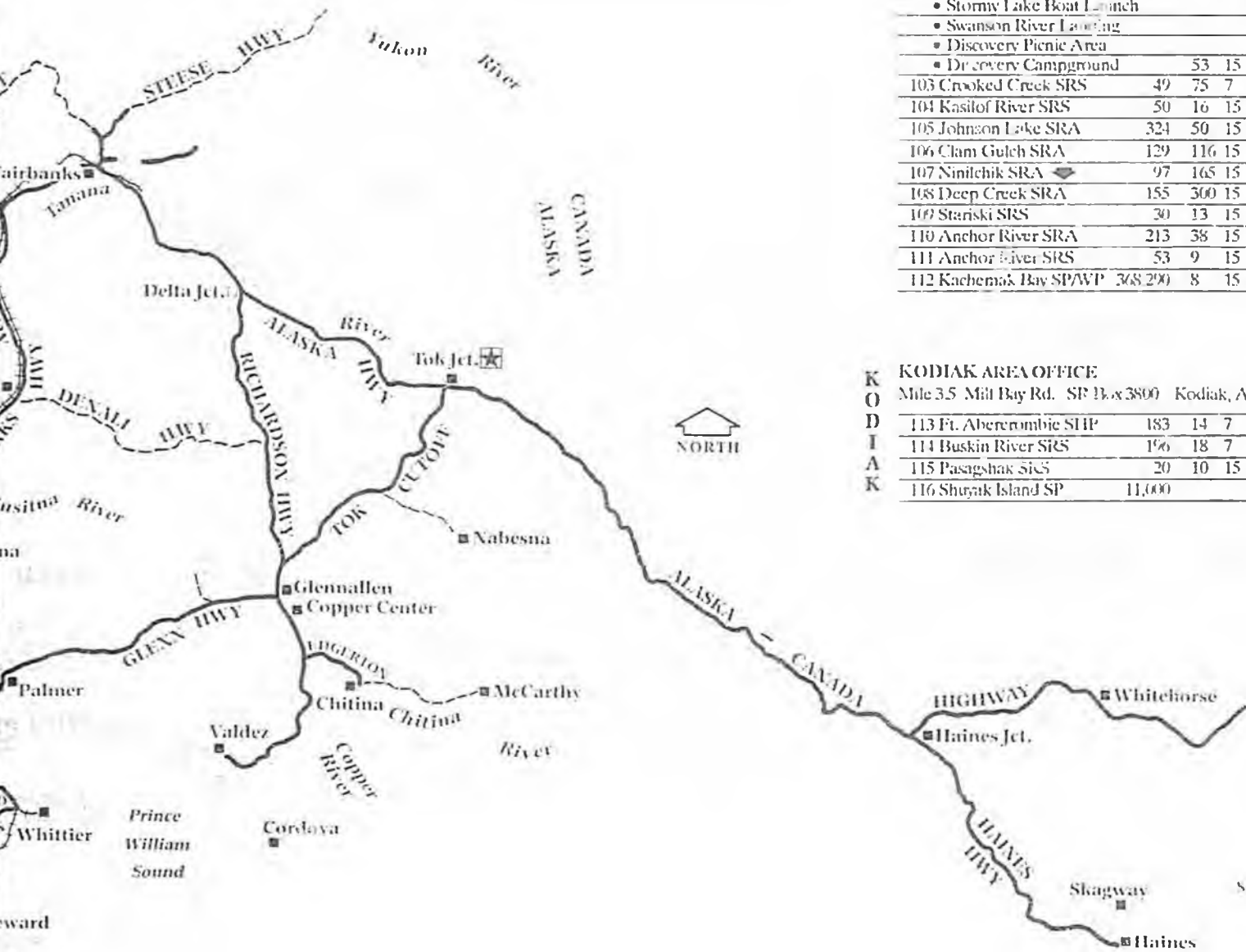
Mile 85 Sterling Hwy. P.O. Box 1247
Soldotna, AK 99669
(907) 262-5581

Unit #	Unit Name	Acreage	CAMP SITES*	CAMPING LIMIT (DAYS)	PICNIC SITES	TOILETS	DRINKING WATER	PICNIC SHELTERS	TRAILS	HISTORICAL FEATURES	BOAT LANDING	ISLAND	NEAREST COMMUNITY	Location
PRINCE WILLIAM SOUND STATE MARINE PARKS														
80	Bettles Bay SMP	680											Whittier	Port Wells
81	Zeigler Cove SMP	720											Whittier	Port Wells
82	Surprise Cove SMP	2,280											Whittier	Cochrane Bay
83	South Esther Island SMP	3,360											Whittier	Esther Island
84	Horseshoe Bay SMP	970											Seward	Latouche Island
85	Sawmill Bay SMP	2,320											Valdez	Valdez Arm
86	Shoup Bay SMP	4,560											Valdez	Valdez Arm
87	Jack Bay SMP	811											Valdez	Valdez Arm
88	Boswell Bay SMP	799											Cordova	Gulf of Alaska
89	Canoe Passage SMP	2,735											Cordova	Hawkins Island
90	Decision Point SMP	460											Whittier	Passage Canal
91	Entry Cove SMP	370											Whittier	Point Pigot
92	Granite Bay SMP	2,105											Whittier	Esther Island
93	Kavak Island SMP	1,457											Cordova	Gulf of Alaska
SEWARD AREA STATE MARINE PARKS														
94	Driftwood Bay SMP	840											Seward	Day Harbor
95	Safety Cove SMP	660											Seward	Day Harbor
96	Sandspit Point SMP	600											Seward	Eldorado Narrows
97	Sunny Cove SMP	300											Seward	Resurrection Bay
98	Thumb Cove SMP	300											Seward	Resurrection Bay
99 KENAI RIVER SPECIAL MANAGEMENT AREA														
	• Kenai Keys	193											Sterling	78 Sterling Hwy.
	• Bings Landing	126 37 7											Sterling	79 Sterling Hwy.
	• Izaak Walton	8 38 7											Sterling	81 Sterling Hwy.
	• Morgans Landing	279 50 7											Sterling	85 Sterling Hwy.
	• Scout Lake	195 8 7											Sterling	85 Sterling Hwy.
	• Funny River	336 5 7											Sterling	Funny River Rd.
	• Nilnunaq SHS	42											Sterling	Funny River Road
	• Kenai River Islands	69											Sterling	River Miles 11-41
	• Sliko Creek	40 5											Soldotna	Kalifonsky Beach Rd.
	• Big Eddy	16											Soldotna	Big Eddy Road
	• Ciechanski	31											Soldotna	Ciechanski Road
	• Kenai River Hats	832											Kenai	Kalifonsky Beach Rd.
100	Chena Head SRA	5,961	4	15	4	T	S	Tr	H				Seward	Access by boat
101	Bernice Lake SRS	152	11	15	1	W							Kenai	23 Kenai Spur Road
102	Captain Cook SRA	3,460												
	• Ushaya Creek	12 15	T										Kenai	36 Kenai Spur Road
	• Stormy Lake Swim Beach												Kenai	36 Kenai Spur Road
	• Stormy Lake Picnic Area	48	T										Kenai	36.5 Kenai Spur Rd.
	• Stormy Lake Boat Launch	1	T										Kenai	37 Kenai Spur Road.
	• Swanson River Launch	1	T										Kenai	38.5 Kenai Spur Rd.
	• Discovery Picnic Area	20	T										Kenai	39 Kenai Spur Road
	• Discovery Campground	53 15	T	W	Tr								Kenai	39 Kenai Spur Road
103	Crooked Creek SRS	49 75 7	30	T	W	Tr							Soldotna	Coho Loop Road
104	Kasilof River SRS	50 16 15		W	Tr								Soldotna	109.5 Sterling Hwy.
105	Johnson Lake SRA	324 50 15 25											Soldotna	110 Sterling Hwy.
106	Clam Gulch SRA	129 116 15											Soldotna	117 Sterling Hwy.
107	Nimilchik SRA	97 165 15											Homer	135 Sterling Hwy.
108	Deep Creek SRA	155 300 15		W									Homer	138 Sterling Hwy.
109	Stariski SRS	30 13 15		W S									Homer	151 Sterling Hwy.
110	Anchor River SRA	213 38 15											Homer	157 Sterling Hwy.
111	Anchor River SRS	53 9 15		W									Homer	162 Sterling Hwy.
112	Kachemak Bay SP/WP	368 290	8	15	1	T							Homer	Access by plane & boat

KODIAK AREA OFFICE

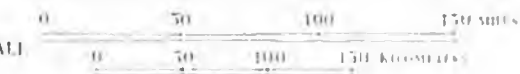
Mile 3.5 Mill Bay Rd. SP Box 3800 Kodiak, Alaska 99615 (907) 486-6339

113	Ft. Abernethy SHP	183 14 7											Kodiak	4.0 E. Rezanof Dr.
114	Buskin River SRS	196 18 7											Kodiak	4.5 W. Rezanof Dr.
115	Pasagshak SRS	20 10 15											Kodiak	40 Pasagshak River Rd.
116	Shuyak Island SP	11,000											Kodiak	Access by plane & boat



LEGEND

- State Park unit
- Park Ranger Station / Information Center
- Alaska Public Lands Information Center
- Highway
- Road
- Railroad



Photographs by:
Division of Parks & Outdoor Recreation
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Neil Johannsen - cover photo
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David Prodeger
Dave Stephens
Doug Van Siren

ALASKA

<p>Alaska Division of Tourism Box E Juneau, Alaska 99801 (907) 465-2910 Juneau (907) 563-2167 Anchorage</p> <p>Alaska Dept. of Fish & Game P.O. Box 3-2000 Juneau, Alaska 99802 (907) 465-4112 Juneau (907) 543-0541 Anchorage</p> <p>Alaska Ferry System Division of Marine Highways P.O. Box R Juneau, Alaska 99811 (907) 642-0066</p>	<p>Alaska Public Lands Information Centers (15 locations) 250 Cushman Street, Suite 1A Fairbanks, Alaska 99701 (907) 451-2352 MP 1313 Alaska Highway P.O. Box 389 E. Seward, Alaska 99750 (907) 888-8067 605 West 4th Avenue Anchorage, Alaska 99501 (907) 271-2737</p>	<p>National Park Service 2325 Gambeli Street Anchorage, Alaska 99503-2592 (907) 271-2641</p> <p>U.S. Forest Service P.O. Box 1928 Juneau, Alaska 99802 (907) 271-2507 Juneau (907) 279-5511 Anchorage</p> <p>American Youth Hostels, Inc. Alaska Council P.O. Box 41401 Anchorage, Alaska 99509 (907) 276-3635 (recording)</p>
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- Juneau
- Sitka
- Petersburg
- Wrangell
- Ketchikan

Southeast

SOUTHEAST REGION OFFICE
400 Wiloughby Bldg., 3rd Floor
Juneau, Alaska 99801 (907) 465-4563

Unit #	Unit Name	Acreage	CAMP SITES*	CAMPING TRAILHEADS	PICNIC SITES	TODDLER	DRINKING WATER	PICNIC SHEDS	TRAILS	HYDROELECTRIC	BOAT LAUNCH	FISHING	NEARBY COMMUNITY	Location
1	Totem Bight SHP	11												Ketchikan 10 Tongass Road
2	Refuge Cove SRS	13		14	T					F				Ketchikan 8.7 Tongass Road
3	Settlers Cove SRS	38	12	11					Tr	F				Ketchikan 18 N. Tongass Road
4	Pioneer Park SRS	3			T				Tr					Sitka 2 Halibut Road
5	Baranof Castle SHS	1								T				Sitka Lincoln Street
6	Halibut Point SRS	22		9	T	W	S		Tr	H	F			Sitka 4.4 Halibut Road
7	Old Sitka SHP	51								B	F			Sitka 7.5 Halibut Road
8	Juneau Trail System ST	15								Tr	H	F		Juneau Juneau Area
9	Johnson Creek SRS	65			UNDVELOPED									Juneau 15.5 N. Douglas Hwy.
10	Wickersham SHS	5												Juneau 7th Street
11	Point Bridget SP	2,800							Tr	F				Juneau 38.5 Glacier Hwy.
12	Chilkoot Lake SRS	80	32	7		W	S			B	F			Haines 10 Latak Road
13	Portage Cove SRS	7	9	7	3	T	W			F				Haines 1 Beach Road
14	Chilkat SP	6,045	15	15		W	S	Tr		B	F			Haines 7 Mud Bay Road
15	Ak-Chilkat Bald Eagle P.	49,320			UNDVELOPED					F				Haines 8.9 Haines Hwy.
16	Mosquito Lake SRS	5	10	15		T	W			B	F			Haines 27.2 Haines Hwy.
17	Greening SHP	12								H	F			Juneau 24 Glacier Hwy.

SOUTHEAST ALASKA STATE MARINE PARKS

18	Dall Bay SMP	585			UNDVELOPED					F				Ketchikan Gravina Island
19	Thom's Place SMP	1,198			UNDVELOPED					F				Wrangell Wrangell Island
20	Beecher Pass SMP	660			UNDVELOPED					F				Wrangell Milkot Island
21	Joe Mace Island SMP	62			UNDVELOPED					F				Wrangell Sumner Strait
22	Security Bay SMP	500			UNDVELOPED					F				Petersburg Chatham Strait
23	Taku Harbor SMP	700			UNDVELOPED					F				Juneau Stephens Passage
24	Oliver Inlet SMP	500							Tr	B	F			Juneau Admiralty Island
25	Furter Bay SMP	162			UNDVELOPED					F				Juneau Admiralty Island
26	Shelter Island SMP	3,360			6	T			Tr	F				Juneau Lynn Canal
27	St. James Bay SMP	10,230			UNDVELOPED					F				Juneau Lynn Canal
28	Sullivan Island SMP	2,163			UNDVELOPED					F				Juneau Lynn Canal
29	Chilkat Islands SMP	6,500			UNDVELOPED					F				Haines Lynn Canal
30	Magoun Islands SMP				UNDVELOPED					F				Sitka Kestof Sound
31	Big Bear/Baby Bear SMP				UNDVELOPED					F				Sitka Port Strait

Northern

NORTHERN REGION OFFICE
3700 Airport Way Fairbanks, Alaska 99709-4613 (907) 451-2685

32	Tok River SRS	38	50	15						Tr				Tok 1309 Alaska Hwy.
33	Eagle Trail SRS	640	30	15	4	T	W	S	Tr	H				Tok 109.5 Tok Cutoff
34	Moon Lake SRS	22	15	15		W				B	F			Tok 1332 Alaska Hwy.
35	Fielding Lake SRS	300	7	15		T					B	F		Delta Jet. 200.5 Richardson Hwy.
36	Donnelly Creek SRS	42	12	15		T	W							Delta Jet. 238 Richardson Hwy.
37	Clearwater SRS	27	18	15		T	W			H	F			Delta Jet. 1415 Alaska Hwy.
38	Delta SRS	7	22	15	6	T	W							Delta Jet. 267 Richardson Hwy.
39	Big Delta SHP	10												Delta Jet. 271.5 Richardson Hwy.
40	Quartz Lake SRA	600	16	15		S	Tr			B	F			Delta Jet. 277.8 Richardson Hwy.
41	Birch Lake SRS	191	10	15		F				B	F			Delta Jet. 306.5 Richardson Hwy.
42	Harding Lake SRA	109	89	15	52				Tr	B	F			Delta Jet. 321.4 Richardson Hwy.
43	Salcha River SRS	61	25	15	20	W				B	F			Delta Jet. 323.3 Richardson Hwy.
44	Chena River SRS	27	59	30						B	F			Fairbanks University Avenue
45	Chena River SRA	254,089												
	• Rosehip Campground	38	15						Tr	F				Fairbanks 27 Chena Hot Sp Rd.
	• Fors Trail Campground	23	15						Tr	F				Fairbanks 37 Chena Hot Sp Rd.
	• Red Squirrel Picnic Area	12								F				Fairbanks 43 Chena Hot Sp Rd.
	• Lower Chena Dome Tr.Hd.					T	W		Tr					Fairbanks 49 Chena Hot Sp Rd.
	• Upper Chena Dome Tr.Hd.					T			Tr					Fairbanks 50.5 Chena Hot Sp Rd.
	• Angel Rocks Trailhead					T			Tr					Fairbanks 49 Chena Hot Sp Rd.
46	Upper Chatanika River SRS	73	25	15		T	W			F				Fairbanks 39 Steese Highway
47	Lower Chatanika R. SRA	570												
	• Whitefish Campground	15	15							B	F			Fairbanks 11 Elliott Highway
	• Oines Pond	50	15			T	W			F				Fairbanks 10.5 Elliott Highway

Mat-Su/Valdez

MATANUSKA-SUSITNA/VALDEZ/ COPPER RIVER AREA OFFICE
11C32 Box 6706 Wasilla AK 99687 (907) 745-3975

48	Denali SP	324,240												
	• Little Coal Creek Trailhead				T				Tr					Trapper Cr. 1639 Parks Hwy.
	• AK Veteran's Memorial				10									Trapper Cr. 147.1 Parks Hwy.
	• Bvers Lake Campground	66	15	15		T			Tr	B	F			Trapper Cr. 147 Parks Hwy.
	• Upper Troublesome Cr. Tr.Hd.					T			Tr	F				Trapper Cr. 137.6 Parks Hwy.
	• Lower Troublesome Cr. Tr.Hd.	20	15	10		T	S	Tr		F				Trapper Cr. 137.2 Parks Hwy.
	• Denali Viewpoint South													Trapper Cr. 135.2 Parks Hwy.
49	Montana Creek SRS	82	89	15	28					F				Talkeetna 97.6 Parks Hwy.
50	Willow Creek SRA	3,583				T	W			F				Willow 70 Parks Hwy.
	• Deception Creek Cngd.	7	15							F				Willow 48 Hatcher Pass Road
51	Nancy Lake SRA	22,685												Willow 67.2 Parks Hwy.
	• Winter Trailhead								Tr					Willow 1.8 Nancy Lk. Pkwy.
	• Tulik Nature Trail					T			Tr					Willow 3.5 Nancy Lk. Pkwy.
	• Canoe System Trailhead					6	T		Tr	F				Willow 4.8 Nancy Lk. Pkwy.
	• South Rolly Lake Cngd.	98	15	20		T	W	S	Tr	B	F			Willow 6.5 Nancy Lk. Pkwy.
52	Nancy Lake SRS	36	20	15	30	W				B	F			Willow 66.5 Parks Hwy.
53	Rocky Lake SRS	48	10	7		T	W			B	F			Big Lake 3.5 Big Lake Road
54	Big Lake North SRS	19	60	7						B	F			Big Lake 5 N. Big Lake Road
55	Big Lake South SRS	16	20	7	10	W				B	F			Big Lake 5.2 S. Big Lake Road
56	• Little Susitna River PUF	145	15	41						B				Wasilla 175 Knik Goose Bay Rd
57	Kepler-Bradley Lakes SRA	344												
	• Matanuska Lake													Palmer 36.4 Glenn Hwy.
	• Canoe Lake								Tr	F				Palmer 38.0 Glenn Hwy.
	• Irene Lake								Tr	F				Palmer 38.0 Glenn Hwy.
	• Long Lake								Tr	F				Palmer 38.0 Glenn Hwy.
58	Finger Lake SRS	47	41	7	10	T	W		Tr	B	F			Palmer Bogard Road
59	Wolf Lake SRS	23	4	7	4					F				Palmer 2.5 Fingstrom Dr.
60	Independence Mine SHP	761				W								Palmer 18 Hatcher Pass Rd.
61	Summit Lake SRS	390							Tr					Palmer 20 Hatcher Pass Rd.
62	Moose Creek SRS	40	12	7	4	W			Tr	F				Palmer 54.4 Glenn Hwy.
63	King Mountain SRS	20	22	15	2	T	W	S						Palmer 76 Glenn Hwy.
64	Bonnie Lake SRS	129	8	15		T				B	F			Palmer 83.3 Glenn Hwy.
65	Long Lake SRS	490	9	15		T	W			B	F			Palmer 85.3 Glenn Hwy.
66	Matanuska Glacier SRS	229	12	15					Tr					Palmer 101 Glenn Hwy.

(See Mat-Su Copper Basin address) Glennallen Office (907) 822-5536

67	Little Nelchina SRS	22	11	15		T			Tr	B	F			Glennallen 137.4 Glenn Hwy.
68	Lake Louise SRA	90	36	15		W				B	F			Glennallen 160 Glenn Hwy.
69	Tolsona Creek SRS	600	10	15		T			Tr	F				Glennallen 172.5 Glenn Hwy.
70	Dry Creek SRS	372	58	15	4	T	S	Tr		F				Glennallen 117.5 Richardson Hwy.
71	Porcupine Creek SRS	240	12	15					Tr	F				Tok 64 Tok Cutoff
72	Liberty Falls SRS	10	8	4		T			Tr					Chitina 23.5 Edgerton Hwy.
73	Squirrel Creek SRS	350	14	15		T	W			F				Copper Ctr. 79.5 Richardson Hwy.
74	Little Tonsina SRS	103	8	15		T	W			F				Copper Ctr. 65 Richardson Hwy.
75	Worthington Glacier SRS	113							Tr					Valdez 28.7 Richardson Hwy.
76	Blueberry Lake SRS	192	15	15					Tr	F				Valdez 23 Richardson Hwy.

Please help protect our parks



Mountain goat

RESERVATIONS are not required for any park facilities except rental cabins. Permits are required for large groups or commercial activities.

PETS must be on leashes at developed facilities, such as campgrounds and picnic areas, and under control in other areas at all times.

LITTER is an eyesore and a disappointment to park visitors. All refuse should be removed or placed in litter containers provided. In the backcountry, please pack out what you pack in and leave your campsite as you found it. Practice "no trace" camping.

MOTOR VEHICLES are generally restricted to roads and parking lots. For information on specific areas open to off-road vehicles, contact a park office.

HORSEBACK RIDING is allowed in designated areas of park units. Call a park office for information on specific areas.

FISHING & HUNTING regulations can be obtained from the State Dept. of Fish and Game. Check campground bulletin boards or call a park office for current information.

DISCHARGE OF FIREARMS Check with park office for area closures and for 1/4 or 1/2 mile restrictions near developed facilities. Target shooting is prohibited.

FIRES must be confined to designated sites. Portable stoves should be used in the backcountry.

FIREWORKS are strictly prohibited.

WILDFLOWERS, trees, ferns and grasses are found in abundance in Alaska's parks. Enjoy them, but please don't pick wildflowers or peel bark from trees. Leave the beauty for the next person to appreciate.



shaded area enlarged below

* Camp Sites:

Most campsites accommodate RVs up to 35 ft. in length.
Electrical hook-ups are not available.
indicate available handicap accessible facilities.

- ☒ = Sanitary dump station
- SP = State Park
- SRS = State Recreation Site
- SRA = State Recreation Area
- SHP = State Historical Park
- SHS = State Historic Site
- ST = State Trail
- WP = Wilderness Park
- SMP = State Marine Park
- PUF = Public Use Facility
- P = Preserve

**Note: Little Susitna River PUF is located within the Susitna Flats State Game Refuge. It is not a unit of the State Park System. It is managed by State Parks through a cooperative agreement with the Alaska Department of Fish and Game.

Kuskokwim

Dillingham

Kodiak

GULF

SOUTHERN

CHUGACH

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

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FAX (907) 465-2029
Mail Stop 3101


130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 19, 1993

SUBJECT: CSSB 99(L&C) (Work Order No. 8-GS1020\E)

TO: Senator Tim Kelly
Chair, Senate Labor & Commerce Committee
Attn: Josh Fink

FROM: David R. Dierdorff 
Revisor of Statutes

I need to call your attention to a potential constitutional problem in sections 38 and 40 that I overlooked in my earlier review of SB 99.

As you know, Alaska's constitution prohibits the dedication of state funds (Sec. 7, Art. IX, Alaska Constitution). The supreme court has given this provision a liberal interpretation as to the type of revenue that is subject to the prohibition. See State v. Alex, 646 P.2d 203 (Alaska 1982). I believe that under the court's interpretation the loan guarantee fee assessed against the holder of a student loan would be considered revenue that may not be dedicated. Consequently, the language that provides for a transfer of money by the commission to offset losses needs to be conditioned by the phrase "subject to appropriation by the legislature" in order for secs. 38 and 40 to pass constitutional muster.

DRD:pl
93-110.plm

Alaska State Legislature

Senator Tim Kelly, Chair
Senator Steve Rieger, Vice Chair
Senator Drue Pearce
Senator Judy Salo
Senator Georgianna Lincoln



SENATE LABOR AND COMMERCE
COMMITTEE

STATE CAPITOL, SUITE 101
JUNEAU, ALASKA 99801-1182
PHONE: (907) 465-3822
FAX: (907) 465-3756

3111 C STREET, SUITE 550
ANCHORAGE, ALASKA 99503
(907) 561-7612

MEMORANDUM

TO: Senator Tim Kelly, Chair

FROM: Josh Fink, Committee Aide

DATE: February 23, 1993

RE: Remaining Testimony on SB 99 - Reduction of Operating Costs of Certain Agencies & the Establishment of Certain Fees

Senator Kelly,

The only testimony left to be taken before a CS is drafted, is the following:

John Ray, Executive Director, Police Standards Council
SEC. 47 - Police Standards Council

Issue- You wanted an actual fee in statute rather than giving them regulatory authority. As written, the council can't charge State employees for this professional certification. The Board has real problems with this, believing it is a professional certification and all officers should be charged equally.

Nita Hensley, Chief Drivers' Services, DMV
SEC. 54 - Exemptions to Requirement for Certificate of Title

Issue- Senator Rieger wants a list of exempt areas

SEC. 56 - Additional Registration Fee for Walk-Ins

Issue- You wanted to know what criteria the department use as criteria to waive fee


Senator Tim Kelly
SB 99 - Memorandum
February 23, 1993
Page 2

Someone from Risk Management
SEC. 61-63 - Risk Management

Issue- General Overview, no one present specifically with Risk Management at previous hearings. Sharon Burton with the Department of Administration gave a brief overview last week, but the committee wanted more information.

Janice Adair, Asst. Commissioner, DEC
SEC. 66 & 67 - Department of Environmental Conservation

Issue- No one present previously. There were a number of questions on these two sections.

- 1) Sen. Kelly - On all subsections of both of these sections, who makes the determination when to make an inspection? 
- 2) Sen. Kelly - On line 27, what is the definition of "public accommodations and facilities"?
- 3) Sen. Rieger - What is the fiscal note on the clean air act?

Staff will be working on a CS, and on acquiring new fiscal notes on the proposed CS.

DIVISION OF LEGAL SERVICES
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130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 24, 1993

SUBJECT: Changes made for CSSB 99(L&C) (Work Order No. 8-GS1020\J)

TO: Senator Tim Kelly, Chair
Senate Labor and Commerce Committee
Attn: Josh Fink

FROM: David R. Dierdorff 
Revisor of Statutes

Enclosed is the draft committee substitute that you requested for the committee's consideration. The purpose of this memo is to advise you of the changes made in this version that were not in SB 99 or in the previous draft CS (the "E" version).

Sections 1 - 31. These sections are the same in all three versions of SB 99.

Sec. 32. In the "J" version this section has been changed to clarify that there is no change in the scope of six-month licenses. A person who wants a six-month license will still have to apply during the year in which they want it. Because of the shift from annual to biennial fees, the fee is now 1/4 of the normal fee rather than 1/2. This change was made in House Labor and Commerce after being proposed by the revisor of statutes with the concurrence of Cheryl Frasca of OMB.

Secs. 33 - 35. These sections are identical in both versions of the CS. The only change from SB 99 as introduced is found in sec. 35's language relating to program receipts, which was rewritten to conform to our standard format.

Secs. 36 - 43. These sections are identical in all three versions, except for the addition of "Subject to appropriation," in secs. 38 and 40, as suggested in my earlier memo.

Sec. 44. This section does not appear in the earlier versions. It changes the manner in which hunting and fishing license vendors are compensated. In bill sec. 70, AS 16.05.390(c) is repealed to eliminate an administrative procedure that is made obsolete by this amendment.

Sec. 45. No changes. This was sec. 44 in prior versions.

Secs. 46 and 72. In the "J" version, sec. 46 (which was sec. 45 in prior versions) is rewritten to establish a statutory two-year term for both initial and renewal certificates of fitness, rather than allowing the Department of Labor to determine the terms by regulation. The change from "shall" to "may" in the second sentence is only to conform to current drafting style. Bill sec. 72 in the "J" version is a transitional provision to allow the department to switch from the current one and three year terms to the new two-year terms. It is given the power to adopt regulations to implement the transition.

Sec. 47. In the "J" version, this section is rewritten to establish the fees by statute rather than by regulation. This was sec. 46 in prior versions.

Sec. 48. In the "J" version, this section establishes the fee by statute and eliminates an exception for state employees. This was sec. 47 in prior versions.

Sec. 49. In the "J" version the fee for an employment agency permit is set at \$100 for two years and the duration of the permit is set out in the statute (it is not currently defined by statute). The application fee is retained at \$10. This was sec. 48 in prior versions.

Sec. 50. This appeared in SB 99 as sec. 50. In this draft, the concept of "registered vehicles" is retained because that term is used in eight other provisions of AS 28.10 and the language included in the second sentence of AS 28.10.071(a) is the closest thing there is to a definition of the term.

Sec. 51. This was not in SB 99, but was in the "E" version of the CS, as sec. 50. It is needed to conform to the amendment made in sec. 50.

Secs. 52 - 58. These were secs. 51 - 57 in prior versions.

Secs. 59 and 60. These were not in SB 99, but were in the "E" version as secs. 58 and 59. They make conforming amendments.

Sec. 61. This was in SB 99 as sec. 58 and the "E" version as sec. 60. Please keep in mind that this definition applies to all of AS 28, and because it is related to the definition of "motor vehicles," also found in AS 28.40.100, it has some effect on that term as it is used in AS 11.46.490, AS 45.45.240, and AS 46.03.900. That effect may be insignificant and of no substantive consequence, but I wanted to at least make you aware of the ripple effect of a seemingly innocuous amendment to the definition of "vehicle."

Secs. 62 - 64. These were secs. 59 - 61 in SB 99 and secs. 61 - 63 in the "E" version.

Senator Tim Kelly
February 24, 1993
Page 3

Sec. 65. This was sec. 62 in SB 99 and 64 in the "E" version.

Secs. 66 and 67. These sections replace secs. 65 and 71 of the "E" version, which were secs. 63 and 71 of SB 99. Under secs. 66 and 67, park fees are set by a mix of statute and regulation. Former sec. 71, which was a temporary provision setting fees until regulations were adopted, is deleted because it is no longer needed.

Secs. 68 and 69. These were secs. 67 and 68 in SB 99 and secs. 68 and 69 in the "E" version.

Sec. 70. The repealers. The repeal of AS 16.05.390(c), mentioned in connection with sec. 44 above, is added. Otherwise this section is the same as the "E" version.

Secs. 71 and 73 - 79. These were secs. 72 - 78 in version "E" and secs. 72 - 77 in SB 99, which did not have a section equivalent to sec. 73, relating to the court rule amendment.

Sections 66 and 67 of the "E" version were deleted for the "J" version.

If I may be of further assistance, please advise.

DRD:pl:gc
93-126.plm

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P.O. BOX 110200
JUNEAU, ALASKA 99811-0200
PHONE: (907) 465-2200
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March 2, 1993

The Honorable Tim Kelly
Chairman
Senate Labor & Commerce Committee
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Senator Kelly:

In a recent hearing on SB 99, you asked for further information about when the Office of Public Advocacy (OPA) might waive collection of fees under Section 33 of the bill.

Section 33 states in part, "The Office of Public Advocacy shall charge and collect the fees established under this subsection, but may waive collection of the fee upon finding that collection is not economically feasible or in the public interest."

My interpretation of this language is that OPA could choose not to collect a fee where to do so would involve the expenditure of a greater amount of public funds than that which could be gained through collection and where collection of the fee would be unfair to a ward or conservatee.

It is likely that any fee collected by OPA for public guardian services will be a monthly fee based upon assets, income, or both. Because OPA controls and manages the financial affairs of wards and conservatees under court order, it is difficult to conceive of a situation where collection would not be economically feasible for the agency. However, if a legal dispute arose over the collection of a fee for a particular time period, the office could choose not to pursue the matter if to do so was not economically feasible. We are not at all sure if we need specific statutory authority to act reasonably in a particular litigation context.

We read the phrase, "public interest" to mean simple fairness. We can imagine situations where it may not be fair to collect a fee for a certain period from a ward or conservatee. For example, wards and conservatees

Senator Tim Kelly

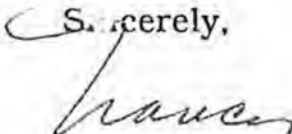
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March 2, 1993

are generally allowed to have up to \$2,000 in cash available at any one time and maintain their eligibility for various government entitlements. We could choose not to collect a fee in a particular month if to do so would prevent a ward or conservatee from traveling, with an aide, to visit a dying relative or attend to some other matter important in the life of the ward or conservatee.

If you have further questions, please call me.

Sincerely,



Nancy Bear Usera
Commissioner

NBU/nl

cc: Brant McGee
Executive Director
Office of Public Advocacy

Sharon Barton
Director
Division of Administrative Services

Eileen Plate
Special Assistant
Office of the Commissioner

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF ADMINISTRATION

DIVISION OF RISK MANAGEMENT

P.O. BOX 110218
JUNEAU, ALASKA 99811-0218
PHONE: (907) 465-2180
FAX: (907) 465-3690

February 26, 1993

The Honorable Tim Kelly
Alaska State Senator
State Capitol
Juneau, AK 99801-1182

Dear Senator Kelly:

Re: CSSB 99 (L&C)
Sections 62 - 63

During the hearing for this bill last Tuesday, you requested that I furnish the committee a written explanation of the reasons for language amending AS 37.05.289 as requested in Sections 62 and 63 of CSSB 99 (L&C).

The major reason we are requesting this change is to assure that the State can retain insurance recoveries that include federal funds for insurance purposes. This is in response to concerns expressed by federal auditors.

As you may be aware, the Division of Risk Management's budget is compiled entirely from interagency receipts through premium assessments to each State agency. Agencies such as the Department of Health and Social Services and the Department of Transportation and Public Facilities who administer many federal funded projects or programs use (in part) federal dollars to pay a portion of their billing from the Division of Risk Management.

Presently, funds recovered by the State in payment of insurance claims must be deposited to the General Fund.

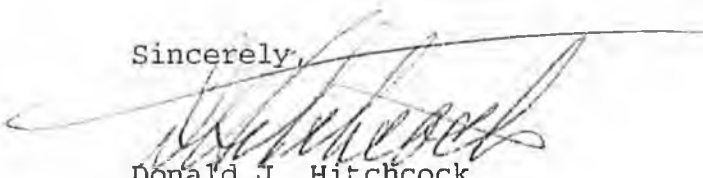
The federal auditors conclude that if recoveries are credited to the General Fund, they can be reappropriated for projects or programs for which they were not originally intended. The federal auditors assume that most State insurance recoveries include monies recovered on federally supported projects--therefore, the federal government has a claim on a portion of these insurance recoveries.

In order to prevent partial loss of the State insurance recoveries to the federal government, it has been agreed that if the recoveries are credited directly to the claims payment reserve account (State Insurance Catastrophe Reserve Account AS 37.05.289), they can only be used for the original intent (payment of claims) rather than possible diversion to other uses through the State General Fund.

The State Insurance Catastrophe Reserve Account formed under AS 37.05.289 is a special account within the General Fund. It has a cap of \$5,000,000.00 and is used to pay catastrophe losses (both liability and property) that may occur within the State levels of self-insurance.

If additional information is needed, please call me at 465-2180.

Sincerely,



Donald J. Hitchcock
Director

DJH/rkh

9/9/05504.wp

cc: The Honorable Steve Rieger
Alaska State Senator
State Capitol
Juneau, AK 99801-1182

The Honorable Drue Pearce
Alaska State Senator
State Capitol
Juneau, AK 99801-1182

The Honorable Georgianna Lincoln
Alaska State Senator
State Capitol
Juneau, AK 99801-1182

The Honorable Judith E. Salo
Alaska State Senator
State Capitol
Juneau, AK 99801-1182

Nancy Bear Usera
Commissioner
Department of Administration

Kris W. Lethin
Legislative Liaison
Office of the Governor

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

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March 5, 1993

The Honorable Tim Kelly
Alaska State Legislature
Senate Labor & Commerce Committee
State Capitol, Room 518
Juneau, AK 99801-1182

Dear Senator Kelly:

We are in receipt of a work draft of CSSB 99, currently under consideration by the Senate Labor and Commerce Committee, which includes in Section 44 the following amendment to AS 16.05.390(a):

- (a) Except as provided in (e) of this section, an agent appointed by the commissioner under AS 16.05.380 to sell licenses and tags is entitled to retain
- (1) [RETAIN] five percent of the fee that is charged for a license or tag or 25 cents for each license or tag sold, whichever is greater, and
 - (2) compensation of [\$50 PER YEAR OR] \$1 for each license or tag sold during the year [, WHICHEVER IS GREATER].

This section would have two major effects. First, it would in effect nullify AS 16.05.390(c), which directs that the extra \$1 compensation per license or tag be paid to license vendors "after-the-fact" on a quarterly basis. Second, it would also in effect nullify AS 16.05.390(d), which directs that the extra \$1 compensation per license or tag be paid from the general fund. This would result because by retaining the extra \$1 "up front," less sales revenues would be remitted to the state and thus less revenues deposited in the Fish and Game Fund. That is, the extra \$1 in compensation would essentially be paid from the Fish and Game Fund rather than the general fund.

We support the second of these two effects, and are in fact proposing the transfer of additional compensation payments from the general fund to the Fish and Game Fund. This will not be a painless transfer, since it will necessitate a commensurate reduction (approximately \$550.0 in FY94) in the Divisions of Sport Fish and Wildlife Conservation for revenues that will not be realized to the Fish and Game Fund. We recognize, however, that there is unarguable logic in having vendor compensation netted against license revenue.

For reasons outlined in my February 23 letter to you, however, we do not support the first of these two effects, namely that additional compensation be retained "up front" instead of paid "after-the-fact" as is currently the case. The current payment structure for additional compensation provides us with a valuable enforcement and corrective tool for resolution of remittances that are delinquent or incorrectly calculated. For example, payments that are in arrears at the end of a given quarter are reduced by the amount the vendor owes the state. As I noted before, this occurs fairly often, and the post-payment of additional compensation is one of the few mechanisms for collecting these funds. Moreover, because of the close connection of the Fish and Game Fund with the Dingell-Johnson/Wallop-Breaux and Pittman-Robertson federal programs, we are under close scrutiny to ensure that licensing revenues are correctly controlled and accounted for. Removal of one of our few enforcement tools makes that job just that much more difficult. Jeopardization of these federal funds would certainly not be in the state's best interest, and should not be chanced.


We propose, therefore, that the currently proposed Section 44 to CSSB 99 be deleted and replaced with:

AS 16.05.390(d) is deleted.

This amendment would allow the payment of the extra \$1 compensation per license or tag sold to be paid from Fish and Game Funds rather than general funds, thus saving the general fund in FY94 approximately \$550.0. It would however, leave the other sections of AS 16.05.390 intact, including the current provision that the extra compensation is paid "after-the-fact" on a quarterly basis.

We strongly encourage you to consider this amendment to the current work draft of CSSB 99.

Sincerely,


Carl L. Rosier
Commissioner

Enclosures

cc: Ron Somerville
Chuck Meacham
Larry Jones
Marylou Burton
Geron Bruce
Cheryl Frasca

WORK DRAFT

WORK DRAFT

WORK DRAFT

1 home and school.

2 * Sec. 43. AS 14.43.740(a) is amended to read:

3 (a) The provisions of AS 14.43.100, 14.43.110, 14.43.115, 14.43.120(a) -(d),
4 (i), (m), and (r) - (u) [(r) - (t)], and 14.43.135 apply to a loan made under
5 AS 14.43.710 - 14.43.790.

6 * Sec. 44. AS 16.05.390(a) is amended to read:

7 (a) Except as provided in (c) of this section, an agent appointed by the
8 commissioner under AS 16.05.360 to sell licenses and tags is entitled to retain

9 (1) [RETAIN] five percent of the fee that is charged for a license or
10 tag or 25 cents for each license or tag sold, whichever is greater; and

11 (2) compensation of [\$50 PER YEAR OR] \$1 for each license or tag
12 sold during the year [, WHICHEVER IS GREATER].

13 * Sec. 45. AS 18.60.220 is amended to read:

14 Sec. 18.60.220. DUTIES OF THE DEPARTMENT OF LABOR. The
15 Department of Labor shall

16 (1) have all violators of AS 18.60.180 - 18.60.390 prosecuted;

17 (2) issue, suspend, or revoke for cause, inspection certificates provided
18 for in AS 18.60.390;

19 (3) take action necessary for the enforcement of the laws and
20 regulations governing the use of boilers and unfired pressure vessels;

21 (4) keep a complete record of the type, dimensions, maximum
22 allowable working pressure, age, condition, location, and date of the last recorded
23 internal inspection of boilers and unfired pressure vessels to which AS 18.60.180 -
24 18.60.390 apply;

25 (5) adopt regulations establishing reasonable fees for administering
26 special inspector examinations and for processing applications for special
27 inspector commissions; and

28 (6) do acts necessary to carry out the purposes of AS 18.60.180 -
29 18.60.390.

30 * Sec. 46. AS 18.62.020 is amended to read:

31 Sec. 18.62.020. APPLICATION FOR AND ISSUANCE OF CERTIFICATE.

money collected. However, the commissioner may waive the bond requirements of an instrumentality of the United States or its agents and employees, when the instrumentality or its agents or employees sell licenses primarily to persons in the armed forces. Each person, upon appointment by the commissioner, may administer oaths on applications for licenses and tags. (§ 5 art II ch 94 SLA 1959; am § 14 ch 131 SLA 1960; am § 5 ch 31 SLA 1963; am E.O. No. 73 § 5 (1989))

Effect of amendments. — The 1989 amendment, effective March 11, 1989, deleted "of revenue" following "commissioner" in the first sentence.

Sec. 16.05.390. Fees and compensation for issuance of licenses and tags. (a) Except as provided in (e) of this section, an agent appointed by the commissioner under AS 16.05.380 to sell licenses and tags is entitled to

(1) retain five percent of the fee that is charged for a license or tag or 25 cents for each license or tag sold, whichever is greater; and

(2) compensation of \$50 per year or \$1 for each license or tag sold during the year, whichever is greater.

(b) Each agent appointed to sell licenses or tags under AS 16.05.380 shall, as directed by the commissioner, transmit the proceeds from the sales of licenses and tags, except the amount authorized to be retained under (a)(1) of this section, together with a report of the sales, to the commissioner for deposit in the fish and game fund or the general fund.

(c) On March 31, June 30, September 30, and December 31 of each year the commissioner shall calculate the compensation earned by an agent under (a)(2) of this section, minus the penalties assessed under (g) of this section. If the compensation due exceeds \$50, the commissioner shall pay the compensation not later than 30 days after the date for which the compensation was calculated. If the compensation due is \$50 or less, the commissioner shall pay the compensation not later than January 30 of the year following the year in which the compensation was earned. The commissioner shall pay compensation only for sales of licenses or tags for which the commissioner has received the report and proceeds required to be transmitted under (b) of this section.

(d) Compensation provided by this section shall be paid from appropriations made to the department from the general fund.

(e) The provisions of (a) of this section do not apply to a state employee appointed by the commissioner under AS 16.05.380 to sell licenses and tags.

(f) Proceeds and reports under (b) of this section shall be transmitted to the commissioner by the last day of the month following the month in which the licenses and tags are sold, unless an alternative reporting schedule has been established by contract.

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

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PHONE: (907) 465-4100

February 23, 1993

The Honorable Tim Kelly
Senate Labor & Commerce Committee
State Capitol, Room 518
Juneau, AK 99801-1182

Dear Representative Kelly:

During the Senate Finance Committee hearing on Senate Bill 100, you raised certain questions about the additional compensation that is paid to license vendors at the end of each quarter, and asked that the department provide you with suggestions on how to revise the fee structure and/or statutes to make the payment of vendor compensation more efficient. In particular, you asked us to suggest ways in which vendors could receive full compensation at the point of sale, while still maintaining the level of compensation currently provided for in statute.

It would not be necessary to revise the basic fee structure to accomplish this, nor would we recommend a major revision. AS 16.05.390 (a) provides that vendors:

"(1) retain five percent of the fee that is charged for a license or tag or 25 cents for each license or tag sold, whichever is greater; and

(2) compensation of \$50 per year or \$1 for each license or tag sold during the year, whichever is greater."

The first section of this, which is the amount currently retained by vendors, is easily understood and easily administered. As you can see on the enclosed copies of license remittance reports, the calculation and verification of commissions retained by the vendor is fairly straightforward because the same percentage fee is applied across the board to all licenses.

The second section, however, is administered as described in AS 16.05.390(c), which directs the department to, on a quarterly basis, calculate the amount due as additional compensation and pay that amount to the vendor. In order to make the additional \$1 per license or tag sold part of the amount retained by the vendor, it would be necessary to eliminate AS 16.05.390(c). Under that

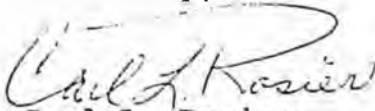
February 23, 1993

scenario, we would also recommend as a practical matter that AS 16.05.390(a)(2) be revised to read: "retain \$1 for each license or tag sold," thus eliminating the \$50 per year minimum due to the vendor. The \$50 minimum provision is seldom applicable, and would considerably complicate what would otherwise be a simple calculation.

While the quarterly payment of additional vendor compensation as currently established is somewhat time consuming and expensive to administer, it should be noted that it provides an incentive for vendors to make remittances in a timely matter. It also provides an enforcement and correcting mechanism to the department for resolution of remittances that are delinquent or incorrectly calculated. For example, payments to vendors who are in arrears at the end of a given quarter are reduced by the amount the vendor owes the state. This occurs fairly often, typically not as a result of any deliberate mispayment but through simple error. Not all of our vendors are sophisticated business people; moreover, during the peak sales season mistakes are easily made. Overall, we feel that the enforcement and correcting mechanism provided by the "after-the-fact" payment of additional compensation outweighs the administrative burden of the program, and ask that you take these factors into consideration when deciding whether or not to revise these statutes.

Your interest in helping us make the licensing program more efficient is appreciated. Please let me or Marylou Burton, ADF&G Finance Officer (465-6068), know if you require further information.

Sincerely,



Carl L. Rosier
Commissioner

Enclosures

cc: Ron Somerville
Chuck Meacham
Larry Jones
Marylou Burton
Geron Bruce
Cheryl Frasca

STATE OF ALASKA

DEPARTMENT OF LABOR

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P.O. BOX 21149
JUNEAU, ALASKA 99802-1149
PHONE (907) 465-2700

FAX: (907) 465-2784

April 1, 1993

L&C
1) not true in statute
2) fee - absolute

The Honorable Robin Taylor, Chair
Senate Judiciary Committee
State Capitol, Room 30
Juneau, AK 99801-1182

Dear Senator Taylor:

I would appreciate your consideration of two amendments to Committee Substitute for Senate Bill 99 (Labor & Commerce) which is scheduled for a hearing before the Senate Judiciary Committee tomorrow. The amendments would

Proposed Amendment
- fee by reg.
see - statute
- allow for fee for mech. admin.

1) allow the department to set time periods for certificates of fitness by regulation in order to shift from a one or three year certificate to two year certificates over a three year period to level out revenues; and

2) allow for the administrator level of certificate of fitness which is proposed in House Bill No. 249; and provide the flexibility to charge a prorated amount if the certificate is issued for a shorter period to accommodate the time it is anticipated to take to phase in a two year certificate.

Thank you for your consideration of my request. Please do not hesitate to contact my assistant, Arbe Williams, if you have questions concerning the proposed amendments.

Sincerely,

Charles W. Mahlen
Commissioner

Enclosures

cc: The Honorable Tim Kelly, Chair
Senate Labor & Commerce Committee

Cheryl Frasca, Div. Budget Review, OMB, Governor's Office

David Teal, Director, ASD, Labor

SENATE AMENDMENT

BY: _____

Page 13, Lines 30 & 31;
TO: Page 14, Lines 1 - 10 SENATE BILL NO. CSSB 99(L&C)

TO: _____ HOUSE BILL NO. _____

Add a new section 46 to read

*Sec. 46 AS 18.62.020 is amended to read:

Sec. 18.62.020. APPLICATION FOR AND ISSUANCE OF CERTIFICATE. The department shall issue certificates of fitness, including renewal [VALID FOR ONE YEAR AND] certificates, for a time period determined by the department by regulation [OF FITNESS VALID FOR THREE YEARS]. The certificate shall be issued only to an individual. An applicant for a certificate shall apply in writing, under oath, on a form prescribed by the department containing

- (1) the name and address of the applicant;
- (2) the applicant's age;
- (3) the applicant's citizenship; and
- (4) [WHETHER THE APPLICANT IS APPLYING FOR A ONE-YEAR OR A THREE-YEAR CERTIFICATE; AND
- (5)] other information relevant to licensing that the department requires.

SENATE AMENDMENT

BY: _____

TO: Page 14, Lines 11 - 15 SENATE BILL NO. CSSB 99(L&C)

TO: _____ HOUSE BILL NO. _____

Add a new section 47 to read

*Sec. 47 AS 18.62.030 is repealed and reenacted to read:

Sec. FEES.

(a) An applicant shall pay a nonrefundable application and examination fee of \$50 when applying for a certificate of fitness;

(b) an applicant for a trainee or journeyman level certificate of fitness shall pay a biennial fee of \$160, to be prorated if the certificate is issued for a shorter period, for the issuance of a certificate or a renewal certificate;

(c) an applicant shall pay a fee of \$25 for the issuance of a duplicate certificate of fitness.

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

DATE: 2/5/93

FURTHER: JUDICIARY
FINANCE

Date of 5-Day Notice: 2-11-93
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3/8/93

L&C Committee considered SB 99

"An Act relating to the improvement of state finances through reduction of operating costs of certain state agencies and establishment of certain fees; and providing for an effective date."

and recommends:

replace with _____ CS SB 99 (L&C)
 attaches amendment(s)

same title
 new title
 technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
SB			
(2) DHSS (2)	3/5/93		✓
DNR	3/5		76.0
(2) DPS	3/4 3/5		✓
REV	3/5	✓	
Admin	3/4	✓	

Department	Date	Zero	Fiscal
(3) Labor	3/3		✓
Labor	3/3	✓	
(2) Postsec Ed	3/3		✓

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above) SB

DO PASS:

OTHER RECOMMENDATIONS:

Finance No Rec
Administrative DNP
Finance No Rec

Tim Kelly - No Rec
Chair: Signature and Recommendation

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

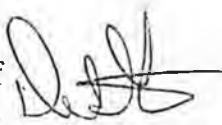
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 18, 1993

SUBJECT: CSSB 99(L&C)

TO: Senator Tim Kelly, Chair
Senate Labor & Commerce Committee
Attn: Josh Fink

FROM: David R. Dierdorff 
Revisor of Statutes

Enclosed is the redo of CSSB 99(L&C) that includes the reference to the court rules in the title, and the related new bill section (sec. 74), as well as the sections needed to fix the AS 28 amendments. The new sections dealing with AS 28 are secs. 50 and 53. Also, AS 28.10.421(d)(12) was added to the repealers.

DRD:gc
93-140.glc

Enclosure

CS FOR SENATE BILL NO. 99(L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the powers, duties, financial administration, and operations
2 of certain state agencies, including the duration and renewal of licenses issued by
3 the Alcoholic Beverage Control Board, duties of and fees charged by the office
4 of public advocacy, student loan fees, Department of Labor fees and licensing
5 periods, police standards fees, motor vehicle registration and insurance and the
6 definition of 'vehicle', program receipts accounting, risk management administration,
7 receipt of donations and charging of fees by the Department of Natural
8 Resources, charging of fees by the Department of Environmental Conservation,
9 coverage of persons under Medicaid, and revising the order of priority for
10 coverage of optional medical services under Medicaid; amending Alaska Rule of
11 Probate Procedure 16(d); and providing for an effective date."

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

1 * Section 1. AS 04.11.090(b) is amended to read:

2 (b) The biennial [ANNUAL] beverage dispensary license fee is \$2,500
3 [\$1,250].

4 * Sec. 2. AS 04.11.100(d) is amended to read:

5 (d) The biennial [ANNUAL] fee for a restaurant or eating place license is
6 \$500 [\$300].

7 * Sec. 3. AS 04.11.100(e) is amended to read:

8 (e) A license may be renewed under this section only if the licensee provides
9 evidence to the board's satisfaction that gross receipts from the sale of food upon the
10 licensed premises constitute no less than 50 percent of the gross receipts of the
11 licensed premises for each of the two preceding calendar years [LICENSE YEAR].

12 * Sec. 4. AS 04.11.110(c) is amended to read:

13 (c) The biennial [ANNUAL] club license fee is \$1,200 [\$600].

14 * Sec. 5. AS 04.11.120(c) is amended to read:

15 (c) The biennial [ANNUAL] bottling works license fee is \$500 [\$250].

16 * Sec. 6. AS 04.11.130(d) is amended to read:

17 (d) The biennial [ANNUAL] brewery license fee is \$1,000 [\$500].

18 * Sec. 7. AS 04.11.135(c) is amended to read:

19 (c) The biennial [ANNUAL] brewpub license fee is \$500 [\$250].

20 * Sec. 8. AS 04.11.140(d) is amended to read:

21 (d) The biennial [ANNUAL] winery license fee is \$500 [\$250].

22 * Sec. 9. AS 04.11.150(b) is amended to read:

23 (b) The biennial [ANNUAL] package store license fee is \$1,500 [\$/50].

24 * Sec. 10. AS 04.11.160(a) is amended to read:

25 (a) A general wholesale license authorizes the holder to sell alcoholic
26 beverages in the original package, and wine in bulk, in quantities of not less than five
27 gallons. A holder of a general wholesale license may not sell to a person not licensed
28 under this title, except as provided in AS 04.21.040. A holder of a general wholesale
29 license may not sell alcoholic beverages unless any stamps required to be affixed to
30 the package by state or federal law are intact on the package. A wholesaler must
31 obtain a general wholesale license for each distributing point. The biennial

1 [ANNUAL] general wholesale license fee is \$2,000 [\$1,000 FOR THE FIRST
 2 \$100,000 OF BUSINESS TRANSACTED], payable at the time of making an original
 3 application or an application for renewal. In addition, the following annual fees shall
 4 be paid by a holder of a general wholesale license:

<u>Total</u> Business Transacted During <u>Calendar</u> Year	<u>Annual</u> Fee
5 over \$100,000 and not over \$150,000	\$ 500
6 over \$150,000 and not over \$200,000	\$ 1,000
7 over \$200,000 and not over \$250,000	\$ 1,500
8 over \$250,000 and not over \$300,000	\$ 2,000
9 over \$300,000 and not over \$350,000	\$ 2,500
10 over \$350,000 and not over \$400,000	\$ 3,000
11 over \$400,000 and not over \$500,000	\$ 4,000
12 over \$500,000 and not over \$600,000	\$ 5,000
13 over \$600,000 and not over \$700,000	\$ 6,000
14 over \$700,000 and not over \$800,000	\$ 7,000
15 over \$800,000 and not over \$1,000,000	\$ 9,000
16 over \$1,000,000	\$10,000.

17
 18 * Sec. 11. AS 04.11.160(b) is amended to read:

19 (b) A wholesale malt beverage and wine license authorizes the holder to sell
 20 malt beverages and wine in the original packages in quantities of not less than five
 21 gallons. The holder of a wholesale malt beverage and wine license may not sell to a
 22 person not licensed under this title except as provided in AS 04.21.040. The biennial
 23 [ANNUAL] wholesale malt beverage and wine license fee is \$400 [\$200 FOR THE
 24 FIRST \$20,000 OF BUSINESS TRANSACTED DURING A YEAR], payable at the
 25 time of making an original application or application for renewal. In addition, the
 26 following annual fees shall be paid by a holder of a wholesale malt beverage and wine
 27 license:

<u>Total</u> Business Transacted During <u>Calendar</u> Year	<u>Annual</u> Fee
28 over \$20,000 and not over \$50,000	\$ 300
29 over \$50,000 and not over \$100,000	\$ 1,000
30 over \$100,000 and not over \$150,000	\$ 1,500

1	over \$150,000 and not over \$200,000	\$ 2,000
2	over \$200,000 and not over \$400,000	\$ 4,000
3	over \$400,000 and not over \$600,000	\$ 6,000
4	over \$600,000 and not over \$800,000	\$ 8,000
5	over \$800,000	\$10,000.

6 * Sec. 12. AS 04.11.160(c) is amended to read:

7 (c) No later than February 28 of each year [FOLLOWING THE YEAR FOR
8 WHICH A LICENSE HAS BEEN ISSUED UNDER THIS SECTION], the licensee
9 shall file with the board an affidavit showing the total business transacted during the
10 preceding calendar year under the license and the location of the licensed premises
11 at which the business was transacted. At the time of filing the affidavit, the licensee
12 shall pay the additional annual [LICENSE] fees accrued under (a) and (b) of this
13 section during the preceding calendar year.

14 * Sec. 13. AS 04.11.170(c) is amended to read:

15 (c) The biennial [ANNUAL] distillery license fee is \$1,000 [\$500].

16 * Sec. 14. AS 04.11.180(b) is amended to read:

17 (b) The biennial [ANNUAL] fee for a common carrier dispensary license is
18 \$700 [\$350] for each vehicle, boat, aircraft, or railroad buffet car in which alcoholic
19 beverages are served.

20 * Sec. 15. AS 04.11.210(b) is amended to read:

21 (b) The biennial [ANNUAL] fee for a recreational site license is \$800 [\$400].

22 * Sec. 16. AS 04.11.220(d) is amended to read:

23 (d) The biennial [ANNUAL] fee for a pub license is \$800 [\$400].

24 * Sec. 17. AS 04.11.250(a) is amended to read:

25 (a) A conditional contractor's permit authorizes the holder to sell beer or wine
26 for consumption only on designated premises for two years [ONE YEAR] from the
27 date of issuance of the permit at construction sites that are located outside a city and
28 inside the boundaries of a military or naval reservation.

29 * Sec. 18. AS 04.11.250(b) is amended to read:

30 (b) An applicant for a conditional contractor's permit must obtain and file with
31 the board written permission from the commanding officer of the military or naval

1 reservation and the prime contractor of the remotely situated project for the conduct
2 of the activities authorized by the permit. A conditional contractor's permit may be
3 renewed biennially [ANNUALLY] upon reapplication for a permit and may be
4 revoked or suspended at the discretion of the commanding officer or the prime
5 contractor.

6 * Sec. 19. AS 04.11.250(d) is amended to read:

7 (d) The biennial [ANNUAL] conditional contractor's permit fee is \$1,200
8 [\$600].

9 * Sec. 20. AS 04.11.270(a) is amended to read:

10 (a) An application for renewal of a license or renewal of a conditional
11 contractor's permit must include [:]

12 (1) the information required for a new license or permit under
13 AS 04.11.260 except that proof of notice under AS 04.11.310 is not required; and

14 (2) a list of all convictions of the applicant of violations of this title,
15 a regulation adopted under this title, or an ordinance adopted under AS 04.21.010, that
16 occurred in the preceding two calendar years [YEAR].

17 * Sec. 21. AS 04.11.270(b) is repealed and reenacted to read:

18 (b) A license shall be renewed as follows:

19 (1) on or before November 1 of each year, the director shall mail a
20 renewal application to each licensee whose license, unless renewed, will expire on
21 December 31 of that year; the application shall be mailed to the licensee at the
22 licensed premises or at a mailing address furnished by the licensee;

23 (2) the licensee shall submit the completed renewal application and the
24 biennial license fee to the director on or before December 31;

25 (3) a renewal application filed after December 31 is delinquent and
26 must be accompanied by a \$200 penalty fee;

27 (4) if December 31 falls on a weekend or a state holiday, the deadline
28 is extended to the first business day following December 31.

29 * Sec. 22. AS 04.11.330(a) is amended to read:

30 (a) An application requesting renewal of a license shall be denied if

31 (1) the board finds, after review of all relevant information, that

1 renewal of the license would not be in the best interests of the public;

2 (2) the license has been revoked for any cause;

3 (3) the applicant has not operated the licensed premises for at least 30
4 eight-hour days during each of the two preceding calendar years [THE
5 IMMEDIATELY PRECEDING CALENDAR YEAR], unless the board determines that
6 the licensed premises are under construction or cannot be operated through no fault of
7 the applicant;

8 (4) the board finds that issuance of an existing license under
9 AS 04.11.400(g) has not encouraged tourist trade;

10 (5) the requirements of AS 04.11.420 - 04.11.450 relating to zoning,
11 ownership of the license, and financing of the licensee have not been met;

12 (6) renewal of the license would violate the restrictions pertaining to
13 the particular license under this title;

14 (7) renewal of the license is prohibited under this title as a result of an
15 election conducted in accordance with AS 04.11.502;

16 (8) the application has not been completed in accordance with
17 AS 04.11.270;

18 (9) the license was issued under AS 04.11.400(j), and the board finds
19 that the public convenience does not require renewal.

20 * Sec. 23. AS 04.11.330(d) is amended to read:

21 (d) Notwithstanding (a) (3) of this section, a recreational site license issued
22 under AS 04.11.210 may be renewed if the license was exercised at least once during
23 each of the two [THE IMMEDIATELY] preceding calendar years [YEAR].

24 * Sec. 24. AS 04.11.490(b) is amended to read:

25 (b) If a majority of the voters vote "yes" on the question set out in (a) of this
26 section, the board shall be notified immediately after certification of the results of the
27 election and thereafter the board may not issue, renew, or transfer between holders or
28 locations a license for licensed premises located within the boundaries of the [A]
29 municipality and in unincorporated areas within five miles of the boundaries of the
30 municipality or within the perimeter of the [AN] established village. Licenses that
31 may not be renewed because of a local option election held under this section are void