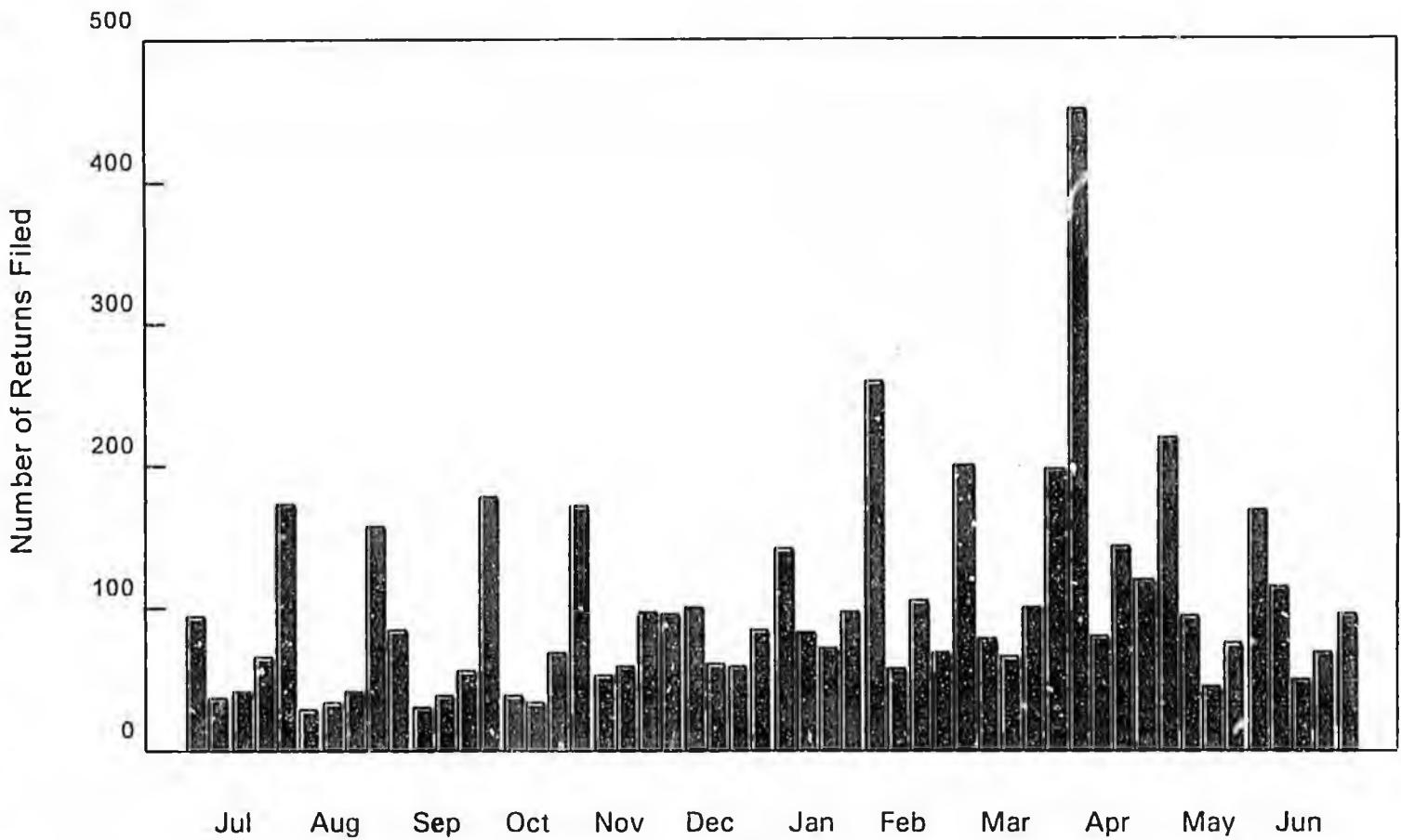


**ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672**

**8408 SENATE LABOR & COMMERCE**

Alaska Department of Revenue  
 Income and Excise Audit Division  
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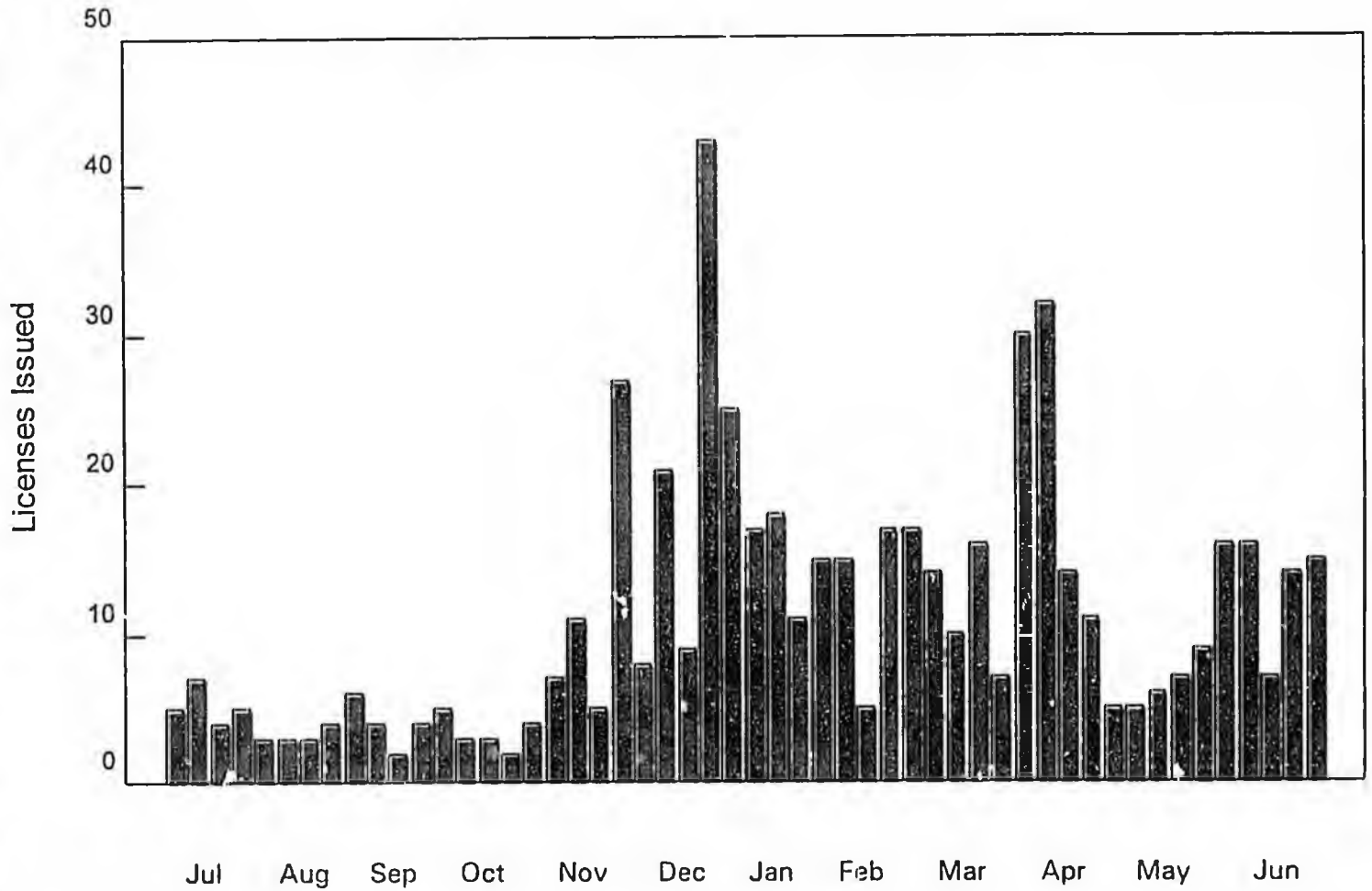
**Table 11**  
Fish and Excise Return Filing Activity



Total Returns Filed: 5,294

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**Table 12**  
Fisheries Business License Activity



Total Licenses Issued: 540

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**Table 13**  
**Historical Overview of Taxes**

Tax Type	Legal Reference	First Enacted	Original Tax	Current Tax Structure	Last Tax Change	Current Tax Rate	Latest Change	Change
Corporation <i>Tax on corporate net income</i>	AS 43.20	1949	10% of federal income tax (for individuals and corporations)	Applies only to corporations	1982	1% to 9.4% of net income	1991	Water's edge method of income calculation adopted
Motor Fuel <i>Tax on fuel sold in or brought into Alaska</i>	AS 43.40	1945	1¢ per gallon on all fuels	Highway	1970	8¢ per gallon	1990	Certificate of use requirement for heating fuel eliminated
				Marine	1977	5¢ per gallon		
				Aviation Gas	1968	4¢ per gallon		
				Jet Fuel	1968	2.5¢ per gallon		
Fisheries <i>Tax on fisheries resources processed in or exported from Alaska</i>	AS 43.75	1913	7¢ per case of canned salmon Other - dollar amount based on revenues	Floating <sup>1</sup>	1979	5% of value	1993	Definition of "value" amended to be more inclusive
				Cannery <sup>1</sup>	1979	4.5% of value		
				Shore-based <sup>1</sup>	1979	3% of value		
				Floating <sup>2</sup>	1979	3% of value		
				Shore-based <sup>2</sup>	1979	1% of value		
Tobacco <i>Tax on cigarettes and tobacco sold in Alaska</i>	AS 43.50	1955	2.5 mills/cigarette (5¢ per pack)	Cigarettes	1989	14.5 mills/cigarette (29¢ per pack)	1992	Provisions to revoke or suspend licenses adopted
				Tobacco	1988	25% of price		
Alcohol <i>Tax on alcoholic beverages sold in Alaska</i>	AS 43.60	1937	Liquor 50¢/gallon	Liquor	1983	\$5.60 per gallon	1983	Increased alcohol taxes
			Wine 15¢/gallon	Wine	1983	\$.85 per gallon		
			Beer 5¢/gallon	Beer	1983	\$.35 per gallon		

<sup>1</sup> Established Species    <sup>2</sup> Developing Species

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**Table 13**  
**Historical Overview of Taxes**

Tax Type	Legal Reference	First Enacted	Original Tax	Current Tax Structure	Last Tax Change	Current Tax Rate	Latest Change	Change
Salmon Enhancement <i>Tax on value of salmon paid by fishers to fund salmon enhancement programs</i>	AS 43.76	1980	Voluntary tax of either 1%;2% or 3% of value as elected by fishers in a region	South Southeast North Southeast	1980	3% of value	1991	Chignik elected 2% tax
				Cook Inlet	1980	2% of value		
				Pr. William Sound	1985	2% of value		
				Kodiak	1989	2% of value		
				Chignik	1991	2% of value		
Mining <i>Tax on net income of mining activities</i>	AS 43.65	1913	.5% on net income > \$5,000	Tax on net income of mining activities	1955	Tax on Net Income: No tax if ≤ \$40,000 3% if >\$40,000 ≤\$50,000 5% if >\$50,000 ≤\$100,000 7% if > \$100,000	1991	Increased education credit from \$100,000 to \$150,000
Estate <i>Tax on estate transfers</i>	AS 43.31	1919	(Inheritance Tax) Based on value on property transferred	Tax on transfer of estates	1970	State tax credit on federal return	1991	Provided for compound interest on tax per AS 43.05.225
Coin-Operated Device <i>Tax on coin-operated devices</i>	AS 43.35	1941	12% of gross receipts on all machines	Class 1 Device	1960	\$48 per device	1960	Decreased length of residency for distributors from 3 to 1 year
				Class 2 Device	1960	\$120 per device		
				Class 3 Device	1960	\$240 per device		
Seafood Marketing <i>Assessment on value of fisheries paid by processors</i>	AS 16.51	1981	Voluntary assessment of either .1%; .2% or .3% of value as elected by processors	Assessment on value of fisheries purchased of \$50,000	1981	.3% of value	1993	Landing Tax legislation included .3% of value tax

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**Table 13**  
**Historical Overview of Taxes**

Tax Type	Legal Reference	First Enacted	Original Tax	Current Tax Structure	Last Tax Change	Current Tax Rate	Latest Change	Change
Electric and Telephone Cooperative <i>Tax on electric and telephone services provided by cooperatives</i>	AS 10.25.550 Telephone	1959	1% gross revenues if operating < 5 years	% of gross revenues	N/A	1% gross revenues if operating < 5 years	1380	Broke out electric for taxing based on Kwh
						2% gross revenues if operating ≥ 5 years		
	AS 10.25.555 Electric		2% gross revenues if operating ≥ 5 years	Mills per Kwh	1980	\$.00025/Kwh if in operation < 5 years		
						\$.0005/Kwh if in operation ≥ 5 years		
APUC RCC <sup>1</sup> <i>Cost charge on utilities and pipeline activities</i>  <small><sup>1</sup> Alaska Public Utilities Regulatory Cost Charges</small>	AS 42.05.253 Utilities	1992	Electricity \$.000626/Kwh	Rate per Kwh	1993	\$.000386 per Kwh	1993	Rates decreased
			Other Utilities .653% Revenues	Rate x Revenues	1993	.4% Revenues		
	AS 42.06.285 Pipelines		.653% Revenues	Rate x Revenues	1993	.4% Revenues		
Individual Income <i>Tax on income based on federal AGI</i>	AS 43.20	1949	10% of Federal income tax paid	Repealed	1980	N/A	1980	Tax repealed retroactive to 1979
School <i>Dollar amount per person tax</i>	AS 43.45	1919	\$5 tax upon each male person	Repealed	1980	N/A	1980	Tax repealed retroactive to 1980
Business License (Gross Receipts) <i>Tax on % of gross business receipts</i>	AS 43.70	1949	\$25 license fee plus .5% , \$20,000 plus .25% , \$100,000	Repealed	1978	N/A	1978	Tax repealed effective 1/1/79

Alaska Department of Revenue  
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**Table 14**  
**Tax Rates**

***Alaska Corporation Income Tax Rates***

1% of the 1st \$10,000 of Alaska Taxable Income, Plus  
 2% of the 2nd \$10,000 of Alaska Taxable Income, Plus  
 3% of the 3rd \$10,000 of Alaska Taxable Income, Plus  
 4% of the 4th \$10,000 of Alaska Taxable Income, Plus  
 5% of the 5th \$10,000 of Alaska Taxable Income, Plus  
 6% of the 6th \$10,000 of Alaska Taxable Income, Plus  
 7% of the 7th \$10,000 of Alaska Taxable Income, Plus  
 8% of the 8th \$10,000 of Alaska Taxable Income, Plus  
 9% of the 9th \$10,000 of Alaska Taxable Income, Plus  
 9.4% of Alaska Taxable Income Over \$90,000

***Alaska Corporation Income Tax Table***

ATI* at Least	But Less Than	Then Tax is	Plus	Excess Over
-0-	\$10,000	-0-	1%	-0-
\$10,000	\$20,000	\$100	2%	\$10,000
\$20,000	\$30,000	\$300	3%	\$20,000
\$30,000	\$40,000	\$600	4%	\$30,000
\$40,000	\$50,000	\$1,000	5%	\$40,000
\$50,000	\$60,000	\$1,500	6%	\$50,000
\$60,000	\$70,000	\$2,100	7%	\$60,000
\$70,000	\$80,000	\$2,800	8%	\$70,000
\$80,000	\$90,000	\$3,600	9%	\$80,000
\$90,000	.....	\$4,500	9.4%	\$90,000

\*Alaska Taxable Income

Alaska Department of Revenue  
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**Table 14**  
**Tax Rates**

***Fisheries Business Tax***

<b>Processor</b>	<b>Established</b>	<b>Developing</b>
Floating	5%	3%
Shore-based	3%	1%
Cannery	4.5%	N/A

***Salmon Enhancement Tax***

<b>Aquaculture Region</b>	<b>Tax Rate</b>
Southern Southeast	3%
Northern Southeast	3%
Prince William Sound	2%
Cook Inlet	2%
Kodiak	2%
Chignik	2%

***Alaska Seafood Marketing Assessment***

.3% (Only for Processors Who Purchased Over \$50,000)
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Alaska Department of Revenue  
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**Table 14**  
**Tax Rates**

***Motor Fuel***

Fuel Type	Tax Rate Per Gallon
Highway	8¢
Marine	5¢
Aviation Gas	4¢
Aviation (Jet) Fuel	2.5¢

***Alcoholic Beverages***

Alcohol Type	Tax Rate Per Gallon
Liquor	\$5.60
Wine	\$.85
Beer	\$.35

***Tobacco***

Cigarette	14.5 Mills/Cigarette (29¢/Pack)
Wholesale Tobacco	25% of Wholesale Price
2.5 of the 14.5 mills or 17.24% of cigarette tax revenues are dedicated to School Fund under AS 43.50.140.	

***Mining License***

MNI* at Least	Less Than	Tax is	Plus	Over
-0-	\$40,000	-0-	.....	.....
\$40,000	\$50,000	-0-	3%	\$40,000
\$50,000	\$100,000	\$1,500	5%	\$50,000
\$100,000	.....	\$4,000	7%	\$100,000
* Mining Net Income Note: New mining operations are exempt from the mining license tax for 3½ years after production begins (not applicable for sand and gravel).				

Alaska Department of Revenue  
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**Table 15**  
**State and Federal Highway Gasoline Tax Rates**  
**As of October 1, 1993**

<i>State</i>	<i>Tax Rate</i> (¢ per gallon)	<i>Last Change</i>	<i>State</i>	<i>Tax Rate</i> (¢ per gallon)	<i>Last Change</i>
Alabama	16.0	6/1/92	Montana	20.0	7/1/87
Alaska	8.0	5/28/70	Nebraska	24.6	7/1/92
Arizona	18.0	7/1/90	Nevada	22.25	10/1/91
Arkansas	18.5	4/1/91	New Hampshire	18.0	6/16/91
California	17.0	1/1/92	New Jersey	10.5	7/1/88
Colorado	22.0	1/1/91	New Mexico	16.0	7/10/90
Connecticut	29.0	7/1/93	New York	8.0	1/1/92
Delaware	19.0	1/1/91	North Carolina	22.3	7/1/92
District of Columbia	20.0	10/1/92	North Dakota	17.0	7/1/89
Florida	4.0	1/1/92	Ohio	22.0	7/1/93
Georgia	7.5	7/1/71	Oklahoma	17.0	7/1/89
Hawaii	16.0	7/1/91	Oregon	24.0	1/1/92
Idaho	22.0	4/1/91	Pennsylvania	12.0	9/1/91
Illinois	19.0	1/1/90	Rhode Island	26.0	4/1/91
Indiana	15.0	4/1/88	South Carolina	16.0	1/1/89
Iowa	20.0	1/1/89	South Dakota	18.0	4/1/88
Kansas	18.0	7/1/92	Tennessee	21.0	4/1/89
Kentucky	15.0	4/9/90	Texas	20.0	10/1/91
Louisiana	20.0	1/1/90	Utah	19.0	4/1/87
Maine	19.0	7/1/93	Vermont	15.0	7/1/89
Maryland	23.5	5/1/92	Virginia	17.7	7/1/89
Massachusetts	21.0	1/1/91	Washington	23.0	4/1/91
Michigan	15.0	1/1/84	West Virginia	15.5	4/1/89
Minnesota	20.0	5/1/88	Wisconsin	22.2	4/1/91
Mississippi	18.0	7/1/90	Wyoming	9.0	7/1/89
Missouri	13.0	4/1/90			

<b>Federal Rate</b>	18.4	10/1/93	<b>All States Average</b>	17.8	N/A
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Alaska Department of Revenue  
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**Table 16**  
**State and Federal Cigarette Tax Rates**  
**As of January 1, 1993**

<i>State</i>	<i>Tax Rate (\$ per pack)</i>	<i>Rank</i>	<i>State</i>	<i>Tax Rate (\$ per pack)</i>	<i>Rank</i>
Alabama	16.5	40	Montana	19.26	35
Alaska	29.0	19	Nebraska	27.0	22
Arizona	18.0	36	Nevada	35.0	13
Arkansas	22.0	31	New Hampshire	25.0	24
California	35.0	13	New Jersey	40.0	6
Colorado	20.0	32	New Mexico	15.0	42
Connecticut	45.0	4	New York	39.0	7
Delaware	24.0	26	North Carolina	5.0	48
District of Columbia	50.0	2	North Dakota	29.0	19
Florida	33.9	16	Ohio	24.0	26
Georgia	12.0	45	Oklahoma	23.0	29
Hawaii	40% Price	N/A	Oregon	28.0	21
Idaho	18.0	36	Pennsylvania	31.0	17
Illinois	30.0	18	Rhode Island	37.0	9
Indiana	15.5	41	South Carolina	7.0	47
Iowa	36.0	11	South Dakota	23.0	29
Kansas	24.0	26	Tennessee	13.0	43
Kentucky	3.0	49	Texas	41.0	5
Louisiana	20.0	32	Utah	26.5	23
Maine	37.0	9	Vermont	20.0	32
Maryland	36.0	11	Virginia	2.5	50
Massachusetts	51.0	1	Washington	34.0	15
Michigan	25.0	24	West Virginia	17.0	39
Minnesota	48.0	3	Wisconsin	38.0	8
Mississippi	18.0	36	Wyoming	12.0	45
Missouri	13.0	43			

Federal Rate	24.0	N/A	All States Average	25.8	N/A
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**Table 17**  
**State Excise Tax Rates on Other Tobacco Products**  
**As of January 1, 1993**

<i>State</i>	<i>Tax Rate</i>	<i>State</i>	<i>Tax Rate</i>
Alabama	.6 - 4.4¢/ounce	Montana	13.38% Wholesale Price
Alaska	25% Wholesale Price	Nebraska	15% Wholesale Price
Arizona	.5 - 2.0¢/ounce	Nevada	30% Wholesale Price
Arkansas	23% Manufactures Price	New Hampshire	21.5% Wholesale Price
California	26.82% Wholesale Price	New Jersey	24% Wholesale Price
Colorado	20% Manufactures Price	New Mexico	25% Product Value
Connecticut	20% Wholesale Price	New York	15% Wholesale Price
Delaware	15% Wholesale Price	North Carolina	2% Manufactures Price
District of Columbia	N/A	North Dakota	.22% Wholesale Price
Florida	25% Wholesale Price	Ohio	17% Wholesale Price
Georgia	13% Wholesale Price	Oklahoma	30% - 40% Factory Price
Hawaii	40% Wholesale Price	Oregon	35% Wholesale Price
Idaho	35% Wholesale Price	Pennsylvania	N/A
Illinois	N/A	Rhode Island	20% Wholesale Price
Indiana	15% Wholesale Price	South Carolina	5% - 36% Manufactures
Iowa	22% Wholesale Price	South Dakota	N/A
Kansas	10% Manufactures Price	Tennessee	6% Wholesale Price
Kentucky	N/A	Texas	35.2% Manufactures Price
Louisiana	33% Manufactures Price	Utah	35% Manufactures Price
Maine	62% Wholesale Price	Vermont	20% Manufactures Price
Maryland	N/A	Virginia	N/A
Massachusetts	25% Wholesale Price	Washington	64.9% Wholesale Price
Michigan	N/A	West Virginia	N/A
Minnesota	35% Wholesale Price	Wisconsin	20% Wholesale Price
Mississippi	15% Manufactures Price	Wyoming	N/A
Missouri	N/A		

*Other Tobacco Products refer to chewing tobacco and snuff*  
*N/A Not Applicable*

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**Table 18**  
**State and Federal Excise Tax Rates on Distilled Spirits**  
**As of January 1, 1993**

<i>State</i>	<i>Tax Rate (\$ per gallon)</i>	<i>Rank</i>	<i>State</i>	<i>Tax Rate (\$ per gallon)</i>	<i>Rank</i>
Alabama	Footnote (1)	N/A	Montana	Footnote (1)	N/A
Alaska	5.60	4	Nebraska	3.00	19
Arizona	3.00	19	Nevada	2.05	28
Arkansas	2.50	25	New Hampshire	Footnote (1)	N/A
California	3.30	16	New Jersey	4.40	9
Colorado	2.28	27	New Mexico	3.94	12
Connecticut	4.50	8	New York	6.44	2
Delaware	5.46	6	North Carolina	Footnote (1)	N/A
District of Columbia	1.50	33	North Dakota	2.50	25
Florida	6.50	1	Ohio	Footnote (1)	N/A
Georgia	3.79	14	Oklahoma	5.56	5
Hawaii	5.75	3	Oregon	Footnote (1)	N/A
Idaho	Footnote (1)	N/A	Pennsylvania	Footnote (1)	N/A
Illinois	2.00	30	Rhode Island	3.75	15
Indiana	2.68	21	South Carolina	2.72	20
Iowa	Footnote (1)	N/A	South Dakota	3.93	13
Kansas	2.50	25	Tennessee	4.00	11
Kentucky	1.92	31	Texas	2.40	26
Louisiana	2.50	25	Utah	Footnote (1)	N/A
Maine	Footnote (1)	N/A	Vermont	Footnote (1)	N/A
Maryland	1.50	33	Virginia	Footnote (1)	N/A
Massachusetts	4.05	10	Washington	Footnote (1)	N/A
Michigan	Footnote (1)	N/A	West Virginia	Footnote (1)	N/A
Minnesota	5.03	7	Wisconsin	3.25	17
Mississippi	Footnote (1)	N/A	Wyoming	Footnote (1)	N/A
Missouri	2.00	30			
<b>Federal Rate</b>	<b>13.50</b>	<b>N/A</b>	<b>All States Average</b>	<b>3.25</b>	<b>N/A</b>

(1) State government controls sales of distilled spirits. Revenues are generated from various taxes, fees and net liquor profits.

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**Table 19**  
**State and Federal Excise Tax Rates on Wine**  
**As of January 1, 1993**

<i>State</i>	<i>Tax Rate (\$ per gallon)</i>	<i>Rank</i>	<i>State</i>	<i>Tax Rate (\$ per gallon)</i>	<i>Rank</i>
Alabama	1.70	3	Montana	1.06	8
Alaska	.85	15	Nebraska	.75	19
Arizona	.84	16	Nevada	.40	35
Arkansas	.75	19	New Hampshire	Footnote (1)	N/A
California	.20	45	New Jersey	.70	21
Colorado	.43	33	New Mexico	.95	10
Connecticut	.60	25	New York	.19	46
Delaware	.90	13	North Carolina	.79	17
District of Columbia	.30	41	North Dakota	.50	30
Florida	2.25	1	Ohio	.32	38
Georgia	1.51	5	Oklahoma	.72	20
Hawaii	1.30	6	Oregon	.67	22
Idaho	.45	32	Pennsylvania	Footnote (1)	N/A
Illinois	.23	43	Rhode Island	.60	25
Indiana	.47	31	South Carolina	.90	13
Iowa	1.75	2	South Dakota	.93	11
Kansas	.30	41	Tennessee	1.10	7
Kentucky	.50	30	Texas	.20	45
Louisiana	.11	47	Utah	Footnote (1)	N/A
Maine	.60	25	Vermont	.55	27
Maryland	.40	35	Virginia	1.51	5
Massachusetts	.55	27	Washington	.87	14
Michigan	.51	28	West Virginia	1.00	9
Minnesota	.30	41	Wisconsin	.25	42
Mississippi	.35	37	Wyoming	Footnote (1)	N/A
Missouri	.36	36			
<b>Federal Rate</b>	<b>1.07</b>	<b>N/A</b>	<b>All States Average</b>	<b>.73</b>	<b>N/A</b>

(1) State government controls sales of distilled spirits. Revenues are generated from various taxes, fees and net liquor profits.

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**Table 20**  
**State and Federal Excise Tax Rates on Beer**  
**As of January 1, 1993**

<i>State</i>	<i>Tax Rate (\$ per gallon)</i>	<i>Rank</i>	<i>State</i>	<i>Tax Rate (\$ per gallon)</i>	<i>Rank</i>
Alabama	.53	3	Montana	.14	36
Alaska	.35	12	Nebraska	.23	18
Arizona	.16	32	Nevada	.09	43
Arkansas	.23	18	New Hampshire	.35	12
California	.20	21	New Jersey	.16	32
Colorado	.08	47	New Mexico	.18	28
Connecticut	.19	24	New York	.21	19
Delaware	.16	32	North Carolina	.48	6
District of Columbia	.09	43	North Dakota	.16	32
Florida	.48	6	Ohio	.18	28
Georgia	.48	6	Oklahoma	.40	8
Hawaii	.89	1	Oregon	.08	47
Idaho	.15	35	Pennsylvania	.08	47
Illinois	.07	48	Rhode Island	.10	40
Indiana	.12	38	South Carolina	.77	2
Iowa	.19	24	South Dakota	.27	15
Kansas	.18	25	Tennessee	.13	37
Kentucky	.08	47	Texas	.19	24
Louisiana	.32	13	Utah	.35	12
Maine	.35	12	Vermont	.27	15
Maryland	.09	43	Virginia	.26	16
Massachusetts	.11	39	Washington	.15	35
Michigan	.20	21	West Virginia	.18	28
Minnesota	.15	35	Wisconsin	.06	50
Mississippi	.43	7	Wyoming	.02	51
Missouri	.06	50			

<b>Federal Rate</b>	.58	N/A	<b>All States Average</b>	.18	N/A
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Alaska Department of Revenue  
Income and Excise Audit Division  
**OPERATIONS ANNUAL REPORT**  
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**Table 21**  
**State and Federal Corporation Income Tax Rates**  
**As of January 1, 1993**

State	Tax Rate	Number of Brackets	State	Tax Rate	Number of Brackets
Alabama	5%	1	Montana	6.75%	1
Alaska	1.0% - 9.4%	10	Nebraska	5.58% - 7.81%	2
Arizona	9.3%	1	Nevada	No Tax	N/A
Arkansas	1.0% - 6.5%	6	New Hampshire	8.0%	1
California	9.3%	1	New Jersey	9.0%	1
Colorado	5.0% - 5.1%	2	New Mexico	4.8% - 7.6%	3
Connecticut	11.5%	1	New York	9.0%	1
Delaware	8.7%	1	North Carolina	7.75%	1
District of Columbia	10.0%	1	North Dakota	3.0% - 10.5%	6
Florida	5.5%	1	Ohio	5.1% - 8.9%	2
Georgia	6.0%	1	Oklahoma	6.0%	1
Hawaii	4.4% - 6.4%	3	Oregon	6.6%	1
Idaho	8.0%	1	Pennsylvania	12.25%	1
Illinois	7.3%	1	Rhode Island	9.0%	1
Indiana	7.9%	1	South Carolina	5.0%	1
Iowa	6.0% - 12.0%	4	South Dakota	No Tax	N/A
Kansas	4.5%	1	Tennessee	6.0%	1
Kentucky	4.0% - 8.25%	5	Texas	Footnote (2)	N/A
Louisiana	4.0% - 8.0%	5	Utah	5.0%	1
Maine	3.5% - 8.93%	4	Vermont	5.5% - 8.25%	4
Maryland	7.0%	1	Virginia	6.0%	1
Massachusetts	9.5%	1	Washington	No Tax	N/A
Michigan	Footnote (1)	N/A	West Virginia	9.0%	1
Minnesota	9.8%	1	Wisconsin	7.9%	1
Mississippi	3.0% - 5.0%	3	Wyoming	No Tax	N/A
Missouri	6.25%	3	<b>Federal Rate</b>	<b>15.0% - 34.0%</b>	<b>5</b>

(1) Not based on income

(2) Tax based on capital and surplus

This publication was released by the Alaska Department of Revenue and produced at a cost of \$2.77 per copy including printing and binding at Alaska Litho, Inc., located in Juneau, Alaska. Its purpose is to provide the public with comprehensive information and data regarding programs administered and revenues collected by the Income and Excise Audit Division within the Department.

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*STATE OF ALASKA*

*BOARD OF PAROLE*



*1993 ANNUAL REPORT TO THE GOVERNOR*

*AND THE ALASKA LEGISLATURE*

*JANUARY 1994*

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# STATE OF ALASKA

## DEPARTMENT OF CORRECTIONS

### BOARD OF PAROLE

WALTER J. HICKEL, GOVERNOR

ALASKA BOARD OF PAROLE  
P.O. BOX 1  
JUNEAU, ALASKA 99811-2000  
PHONE: (907) 465-3384  
FAX: (907) 465-2006

Alonzo B. Patterson, Jr., Chairman  
Dolores G. Weiler, Vice Chairperson  
David F. Cooper, Member  
Elsabeth Demeksa, Member  
James E. McLain, Member

December 30, 1993

To the Honorable Walter J. Hickel, Governor  
and the Honorable Members of the Alaska  
State Legislature and the Citizens of the  
State of Alaska:

Ladies and Gentlemen:

It is my pleasure to offer the Annual Report of the Alaska Board of Parole for the calendar year 1993. I believe you will find the information contained in this report to be both interesting and informative.

The Board and the Department of Corrections are faced with many challenges. At the forefront is the growing prisoner population and the limits of our resources. The Board takes a great deal of pride in the dedication and commitment to excellence exemplified by our administrative staff and by the Department's employees during the last year. Often employees go beyond the call of duty to bring about positive change in many who have known only failure.

We as a Board are first and foremost accountable to the citizens of Alaska and we will endeavor to uphold their trust through informed decision-making and successful reintegration of the offender back to the community.

Sincerely,



Alonzo B. Patterson, Jr.  
Chairman

# ALASKA BOARD OF PAROLE

## 1993 ANNUAL REPORT

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# MISSION STATEMENT

## Alaska Board of Parole

### OUR MISSION IS

To protect the public by focusing on risk and by making careful, just and equitable parole decisions.

To have a clear, articulate policy and numerical guidelines so the public, offenders and criminal justice components can easily understand discretionary parole release decisions.

To have professionally trained Board Members, with close ties to the community, who are representative of the ethnic, racial, sexual, and cultural populations of the state.

To use Department and community resources as a bridge to help parolees become contributing members of society.

To set realistic parole conditions and to return to prison those who show they will not be law-abiding.

## OUR STATUTORY OBLIGATIONS

AS 33.16.100(a) The Board may authorize the release of a prisoner on discretionary parole if it determines that a reasonable probability exists that:

- (1) the prisoner will live and remain at liberty without violating any laws or conditions imposed by the Board;
- (2) the prisoner's rehabilitation and reintegration into society will be furthered by release on parole;
- (3) the prisoner will not pose a threat of harm to the public if released on parole; and
- (4) release of the prisoner on parole would not diminish the seriousness of the crime.

AS 33.16.010(d) A prisoner released on discretionary or mandatory parole is subject to the conditions of parole imposed under AS 33.16.150.

AS 33.16.220 The Board may revoke parole for conduct in violation of AS 33.16.150(a) or (b).

# OUR RESPONSIBILITIES

## To Alaska Citizens

To keep refining our ability to select persons for parole who will succeed as law-abiding citizens; to help parolees become productive citizens for the benefit of society, themselves and their families; and to use our revocation authority wisely and to promptly return to prison those parolees who present a danger to the community.

## To Victims

To welcome and consider views and information from crime victims and their families and to respond positively to their requests for information and notification.

## To Corrections Employees

To provide leadership, training and resources so they can perform their job effectively and efficiently.

## To Offenders

To consider each offender as an individual by one set of standards and to provide a fair and unbiased hearing; to provide realistic parole conditions and helpful positive supervision.

## To Justice

To uphold appropriate punishment, to advance equal treatment of offenders serving for similar offenses with similar histories and needs, and to work with other justice components to reduce criminality.

## THE BOARD MEMBERS

**Chairman Alonzo B. Patterson, Jr.** was appointed to the Board in February 1984 by Governor Sheffield. He was reappointed by Governor Sheffield in 1986 and by Governor Hickel in 1991. Reverend Patterson is the pastor of Shiloh Missionary Baptist Church in Anchorage. He has a Bachelor of Arts Degree in Psychology from the University of Alaska/Anchorage, and a Doctor of Divinity Degree from the American Bible Institute. Reverend Patterson is a resident of Anchorage.

**Member David Cooper** was appointed by Governor Sheffield in February 1984. He was reappointed by Governor Sheffield in 1986 and again by Governor Cowper in 1990. He has an Associate Arts Degree in Behavioral Science from the University of Alaska/Anchorage. Mr. Cooper is retired from the position of Assistant Superintendent at the Palmer Correctional Center after 19 years of exemplary service. He was born and raised near Ninilchik. He and his family operate a commercial fishing business in Cook Inlet. Mr. Cooper is a resident of Palmer.

**Member Elisabeth Demeksa** was appointed by Governor Hickel in 1992. She has a Bachelor of Arts Degree in English Literature from New York State University. Ms. Demeksa is the owner, manager of a women's apparel store. From 1980 to 1991 she was an Aide to the Alaska Legislature, the last two years as Chief of Staff to the House Minority Leader. She is active in numerous women's and family organizations, and in 1984 was honored as one of the Outstanding Young Women of America. Ms. Demeksa is a resident of Juneau.

**Member James McLain** was appointed by Governor Hickel in 1993. He has a Bachelor of Arts Degree in Criminal Justice from the University of Alaska/Fairbanks and was the Justice Student of the Year in 1988. He is currently employed as a paralegal. Mr. McLain is a resident of Fairbanks.

**Member Mary Vollendorf** was appointed by Governor Hickel in 1994. She has a Bachelor of Arts Degree in Political Science/Pre Law from the University of Northern Arizona University. Since graduation from college she has worked for several legislators. Ms. Vollendorf is a resident of Anchorage.

## THE EMPLOYEES OF THE PAROLE BOARD

During 1993 the administrative office of the Board was located at the corner of 4th & Harris, Juneau, Alaska. As of January 21, 1994 the office will be located at 802 Third St., Douglas, Alaska. Our mailing address is:

Alaska Board of Parole  
P.O. Box 112000  
Juneau, Alaska 99811-2000  
Phone: (907) 465-3384  
Fax: (907) 465-2006

### EXECUTIVE DIRECTOR

*Richard E. Collum*

The Executive Director is appointed by the Board and is responsible for day to day operations of the agency. The Executive Director attends parole release hearings and parole revocation hearings and provides technical assistance to the Board.

#### Secretary I

*Georgina Weitzel*

#### Clerk Typist III

*Mary Engdahl*

### PAROLE ADMINISTRATOR

*Donna E. White*

The Parole Administrator assists the Executive Director in agency administration and supervision of the staff. The Parole Administrator is a resource for parole officers to use in the daily management of cases, scheduling hearings and compiling statistics.

### PAROLE BOARD OFFICER

*Daniel L. Stroeing*

The Parole Board Officer assists the Parole Administrator and handles conditions of supervision and Executive Clemency applications and investigation.

## THE PAROLE BOARD

Society through legislation has determined that some people who commit crimes must be incarcerated in correctional institutions as a deterrent to others and for punishment for their crime, as well as for protection of the public and for reformation. The optimum period of time that will meet this criteria, for any given crime, is unknown and consequently sentence length varies considerably across the United States. We know from experience that a number of offenders can be released to community supervision prior to the expiration of their sentences without jeopardizing the public and at a tremendous cost savings to the public.

The Alaska Board of Parole was created by the legislature at the time of statehood to fulfill the State's constitutional requirement for a parole system. The Board was originally comprised of three volunteer members appointed by the Governor, the staff was provided by the Division of Corrections. In the mid 1960's the Board was increased to five members. In 1972, a separate parole office was created within the Department of Health and Social Services to make the Board independent of the Division of Corrections and provide the Board Members with their own administrative staff. When the Division of Corrections became the Department of Corrections in 1984 the Board's Budget Request Unit was moved from Health and Social Services to this newly formed Department.

Prior to 1986, Board Members were appointed to four year terms. Beginning January 1, 1986 the five members are appointed to staggered five year terms. One term expires every year on December 31. The Staff presently consists of an Executive Director, Parole Administrator, Parole Board Officer, a Secretary and a Clerk Typist.

In addition to holding discretionary parole release hearings, the Board holds parole revocation hearings on both mandatory parolees and discretionary parolees. The Board sets conditions of parole, conducts preliminary revocation hearings and preliminary rescission hearings, and issues arrest warrants and subpoenas. During the years from 1984 to 1986, the Board reviewed cases in accordance with the Prisoner Overcrowding Emergency Conditional Commutation Plan. The staff conducts all of the Executive Clemency investigations for the Executive Clemency Advisory Committee and the Governor.

The Board meets quarterly in Fairbanks, Anchorage and Juneau. The Board meets quarterly as necessary in other areas which have a State Correctional Facility, such as Seward, Nome, Bethel, Kenai,

and Ketchikan. Occasionally it is necessary for the Board to travel outside Alaska to the Federal Bureau of Prisons Facilities and other contract institutions to hold parole hearings. The Board members are not state employees but are paid per diem and travel expenses plus \$150 compensation for each full day they are in session.

In 1981, following three years of research and analysis the Board adopted a parole guidelines model which rates a prisoner's social and criminal history to determine risk. This risk score is compared to the severity of the crime to determine a range of time the prisoner should serve prior to discretionary parole. These guidelines were revised in 1983 based on criminal code revisions and again in 1989 following additional research into the validity of the risk factors.

## THE HISTORY OF PAROLE ELIGIBILITY

Eligibility for discretionary parole and for mandatory parole has changed considerably over the last three decades since Statehood and has become extremely complicated. The following information is presented as a historical review of what has occurred and may provide some perspective on the limited numbers of prisoners who are currently eligible for release.

The Alaska legislature determined, with passage of the criminal code in 1960, that a prisoner sentenced to a term of at least 181 days would be eligible for discretionary parole. Former AS 33.15.180. Although there was no statutory minimum term a prisoner had to serve before release on parole, the court had the discretion to set a minimum term, not to exceed one-third of the total sentence. Former AS 33.15.230(a)(1). No other restrictions or guidelines applied.

Effective May 16, 1974, the Alaska Legislature amended former AS 33.15.080 to require a prisoner to serve one-third of the period of confinement prior to being eligible for release on discretionary parole. In the case of a prisoner serving a life sentence, the mandatory minimum was set at fifteen years. In addition, former AS 33.15.230(a)(1) was amended so the court could further restrict eligibility up to the maximum term.

In 1980, as part of the revised criminal code and with the inception of presumptive sentencing, parole eligibility was altered significantly. Crimes were grouped according to severity of the offense. Murder I, Murder II and Kidnapping were unclassified felonies. Murder I and II and Kidnapping were changed from a maximum term of life to a maximum term of 99 years. The mandatory

minimum for discretionary parole eligibility for Murder I was increased to 20 years [AS 12.55.125(a)] or one-third of the period of confinement (former AS 33.15.080), whichever was greater. The mandatory minimum term for Murder II and Kidnapping was set at five years [AS 12.55.125(b)] or one-third of the period of confinement, whichever was greater.

All other felony offenses were classified as A, B, or C felonies. First time felony offenders and all misdemeanor offenders with a sentence of 181 days or longer were eligible for parole after serving one-third of the period of confinement. The remaining felony offenders (those with one or more prior felony convictions) were to be given a non-parole eligible presumptive term. AS 12.55.125. As in the past, the court could further restrict parole eligibility beyond the statutory minimums. AS 12.55.115.

The 1980 revised criminal code also provided for a Three-Judge Sentencing Panel (AS 12.55.175) to review cases with extraordinary circumstances. AS 12.55.165. The Three-Judge Panel may sentence a defendant to any sentence authorized under AS 12.55.015, including making an otherwise ineligible defendant eligible for parole.

Effective October 1, 1982, Sexual Assault I and Sexual Abuse of a Minor I, previously class A felonies, were moved to a new category of unclassified presumptive's [AS 12.55.125(i)] and first time offenders were no longer eligible for parole. In addition, Class A first time offenders were now subject to presumptive terms and were not eligible for parole. AS 12.55.125(c).

Effective January 1, 1983, drug offenses were included in the revised criminal code and Misconduct Involving a Controlled Substance in the First Degree became an unclassified felony with a five year mandatory minimum. AS 12.55.125(b).

Effective January 1, 1986, class A, B and C felony offenders eligible for parole, had their parole eligibility reduced from one-third of the period of confinement to one-quarter. [AS 33.16.100 (c)] In addition, enhanced or aggravated presumptive's were declared eligible for discretionary parole after completing the initial presumptive term plus the minimum (one-third or one-quarter) applicable to the enhanced portion of the term. [AS 33.16.090(c)].

In order to correct what they believed to be a previous oversight the legislature made Class A offenders eligible for parole after serving one-third of the period of confinement, effective September 12, 1987. Eligibility on these offenders had been mistakenly reduced the previous year to one-quarter along with class B and C offenders. [AS 33.16.100(d)].

In 1988, it was determined an offender sentenced prior to 1986 to an enhanced (aggravated) presumptive sentence [AS 12.55.155(c)] was eligible for parole after serving the presumptive term, less good time, and at least one-third of the composite term. Merry v. State, 752 P.2d 475 (Alaska App. 1988). In 1990, it was determined an offender sentenced to a consecutive presumptive sentence prior to 1986 was eligible for parole after completion of the initial presumptive sentence, less good time, and after serving the applicable minimum (one-third or one-quarter) of the consecutive presumptive term.

It has been long established that good time does not reduce the minimum term for parole eligibility. Attorney General Opinion, 01/30/74, Mills v. State, 592 P.2d 1247 (Alaska 1979). However good time does reduce the term of a presumptively sentenced prisoner and thus affects parole eligibility on enhanced presumptive sentences and consecutive presumptive sentences. AS 33.16.090(c).

Effective September 14, 1992, Three Judge Panel sentencing based on a finding of an exceptional potential for rehabilitation became more restrictive. After that date the panel is required to sentence the defendant to the presumptive term, shall order the defendant to participate in appropriate programs of rehabilitation, and may provide that the defendant is eligible for discretionary parole during the second half of the sentence imposed if the defendant successfully completes all rehabilitation programs ordered. AS 12.55.175(e), AS 33.16.090(e).

## IS ELIGIBLE FOR DISCRETIONARY PAROLE NOW?

As indicated in the previous history of parole, the parole eligibility laws have become extremely complicated. A quick overview follows:

In order for a prisoner to be eligible for discretionary parole, the prisoner must be sentenced to a term of 181 days or more. In the case of classified felonies, first time class B and C offenders are eligible after serving one-quarter of their term. All other classified felonies and unclassified sex offenses fall under presumptive sentencing and are eligible for parole after serving the initial presumptive terms. Prisoners convicted of Unclassified felonies must serve mandatory minimums (20 yrs. for Murder in the first Degree, five years for all others) or one-third of the total term, whichever is greater.

## WHO IS ON MANDATORY PAROLE?

A prisoner who is not eligible for discretionary parole or has not been granted discretionary parole will be supervised on mandatory parole if the composite term the prisoner is serving is two (2) years or more. The term of mandatory parole is equal to the period of time the prisoner's sentence was reduced for good behavior, in most cases this is one-third of the total sentence.

Mandatory parole can be revoked prior to a prisoner's release to supervision if the prisoner does not comply with court ordered treatment while incarcerated. Once released from the institution, mandatory parole can be revoked by the Board if the prisoner violates a condition of the mandatory parole. A prisoner cannot refuse to be released to mandatory parole supervision.

## The Board's Workload

The workload for the Alaska Board of Parole increased significantly during the 1980's at a time when the prison population mushroomed. As an example, the 1980 criminal code revision did not begin to show an impact until about 1983 (Figure #1). In 1982, the Board's total workload including parole hearings, parole revocation hearings, warrants and preliminary hearings was under 400 cases. From 1982 to the current peak, the Board's workload increased fourfold. The increase was substantially related to the 1980 presumptive sentence law and mandatory parole law. Discretionary parole hearings and discretionary parole releases did not increase during that period in spite of the growing prison population. Each year, as a higher percentage of prisoners entering the system were sentenced after 1979 under the presumptive sentence law, the number of prisoners eligible for discretionary parole and the number of prisoners released on discretionary parole decreased.

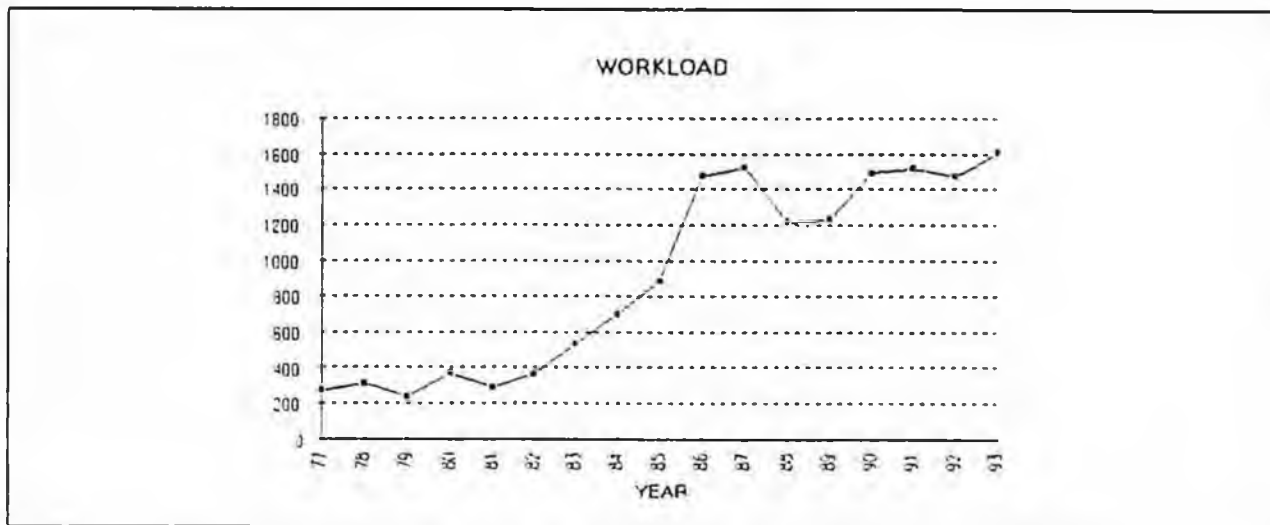


Figure #1

The Board's sharp increase in workload in 1986 and 1987 as indicated in Figure #1 is attributed to the added responsibility during those two years of reviewing prisoners eligible for release under the Governor's Emergency Conditional Commutation Release Plan.

During calendar year 1993, the Board held a total of 1608 hearings, 697 of which were in-person hearings. The remaining 911 case decisions included issuing warrants, setting or changing conditions, and reviewing appeals.

## Discretionary Parole

During the calendar years 1991, 1992 and 1993 the Board held a total of 461 discretionary parole release hearings. Of that total, 178 prisoners were granted discretionary parole for a parole rate of 39%. (Figure 2). In addition, during that three year period, the Board released another 225 prisoners following revocation of their mandatory parole.

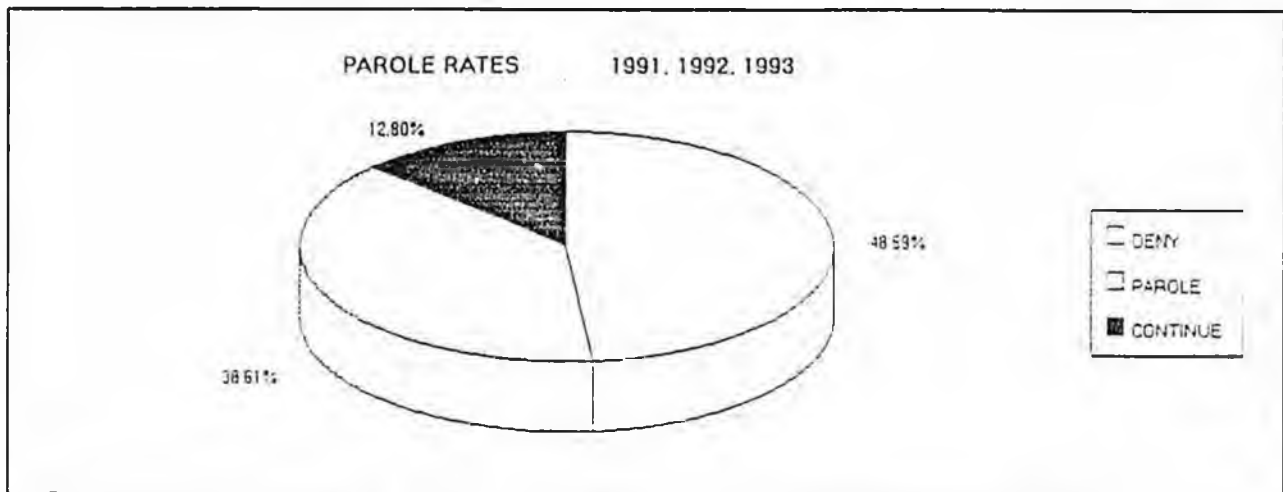
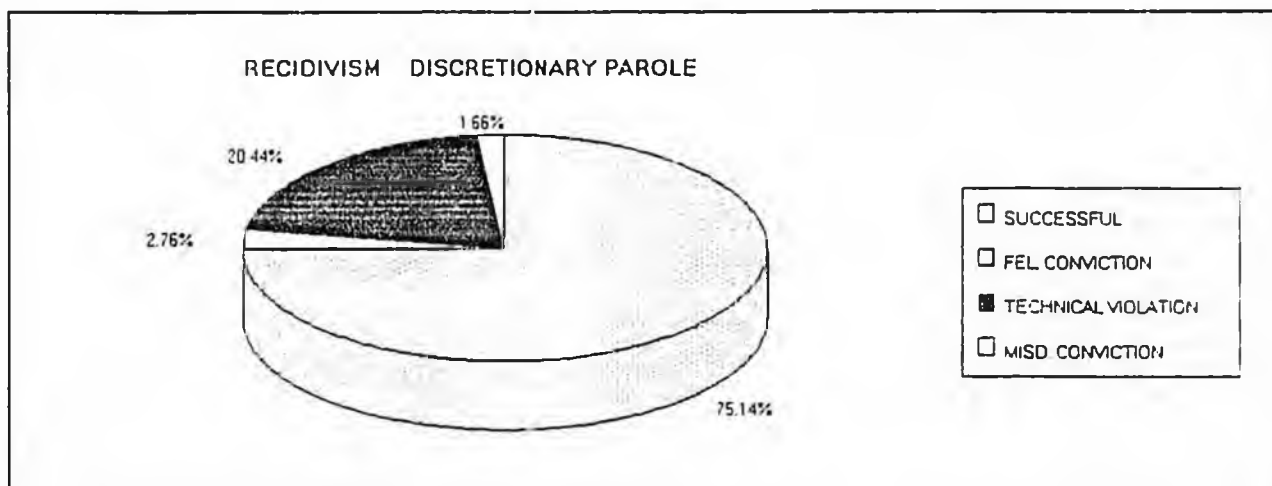


Figure #2

The Board has completed a recidivism study every year since at least the mid 1970's. This was traditionally a one year follow up of prisoners released to discretionary parole. In 1988, the study was expanded to follow the parolee for more than one year. Success is measured by the parolee's ability to complete the followup period on supervision without having been revoked by the Board.

Failure is also divided into four categories based on the nature of the violation. If the violation was for a condition of parole that was not a violation of a law or local ordinance, such as consuming alcohol or failing to report a change of residence, the violation is considered to be a **technical** or conditions violation. If parole is revoked as a result of a conviction for a **misdemeanor** or **felony** while on supervision, the violation is noted accordingly. A parolee who does not report to the parole office as instructed and is unable to be located by the parole officer is coded as an **absconder**. If multiple violations occur, the most serious one is the one coded.



**Figure #3**

The Board is very proud of its consistently low felony revocation rate. A felony revocation rate of 10% is acceptable and expected in many jurisdictions across the United States. The Alaska Board of Parole has consistently had a felony violation rate of 5% or less. A follow-up of the prisoners released to discretionary parole during the years 1989, 1990, 1991 and 1992 indicates a felony violation rate of 5 out of 182, or 3%. (Figure #3).

The combined violation rate for discretionary parolees during that period of time is 25%. However, many of those prisoners were ordered back to prison for only a short period of time and then released to supervision again at a later date. This low felony and misdemeanor revocation rate is an indication the field parole officer is doing a good job of monitoring cases to assure the parolee is removed from the community at the first sign of serious supervision violations and before a new crime is committed.

### Mandatory Parole

The Department of Corrections currently releases over 500 prisoners each year who are to be supervised on mandatory parole for the period of time their sentence was reduced for good behavior in the institution. This number has increased considerably as the prison population has increased. In 1986, less than 300 prisoners were released to mandatory parole supervision. At the present time, the Department is supervising about 700 mandatory parolees.

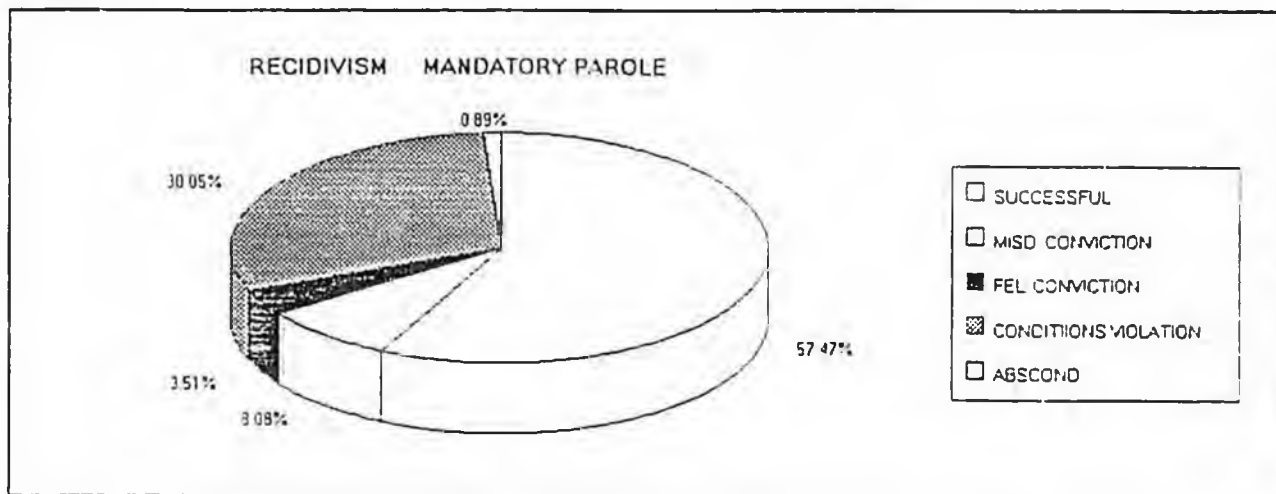


Figure #4

During the years 1989, 1990, 1991 and 1992, it is estimated 1907 prisoners were released to mandatory parole supervision. This estimate is based on the number of cases submitted to the Board so they could set conditions prior to release. As Figure #4 indicates, 311 of them were returned to prison. This is a violation rate of 43%. This violation rate is nearly eighteen (18%) percentage points higher than prisoners released to discretionary parole. In addition, on the average these prisoners were not as closely supervised as discretionary parolees who are often required to participate in residential programs, halfway houses or the Intensive Supervision Program. This revocation rate for mandatory parolees could increase considerably if they were supervised as closely as discretionary parolees.

### Risk Factors

The parole guidelines model developed in 1981 and the subsequent revisions to that model have always included a risk score sheet. The current risk factors were adopted in 1989 and provide for a scoring range of 0 to 49. The lower the score, the lower the risk to reoffend. Risk scores are divided into four categories as follows:

A = 0-6                      B = 7-14                      C = 15-29                      D = 30-49

During the years 1990, 1991, 1992, and 1993, the parole rate for prisoners in category A was 52%; the parole rate for category B was

48%; the parole rate for category C was 33%; and the parole rate for category D was 23%. (Figure #5). This is a good indication the Board is paying a great deal of attention to an applicant's risk to the community at the time parole is granted.

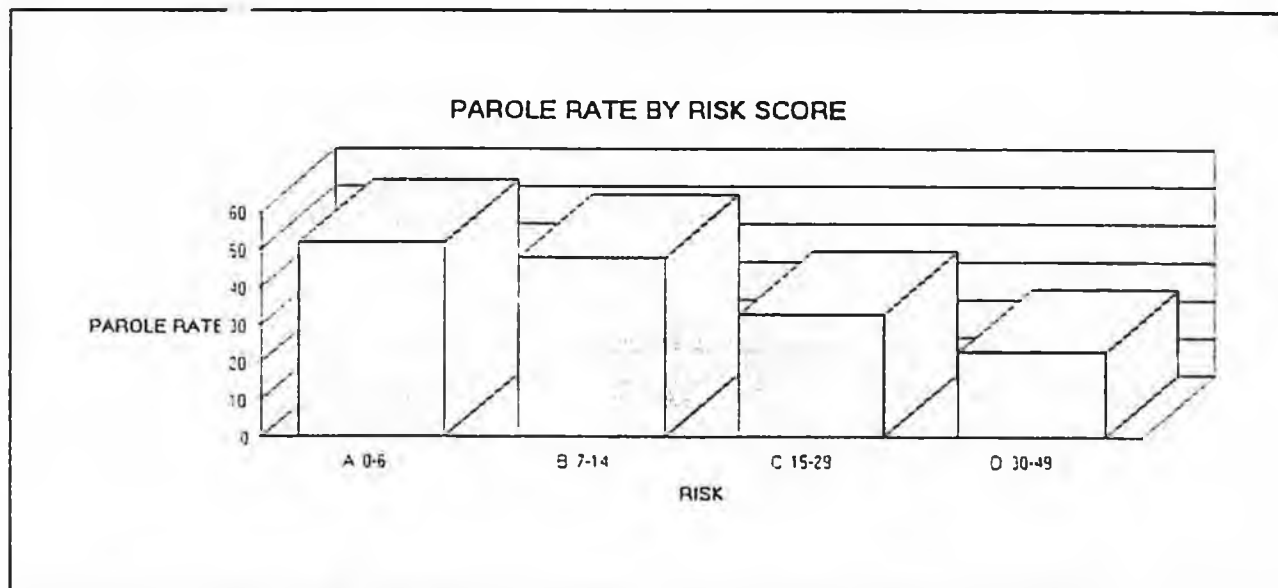


Figure #5

Information obtained from risk scores for prisoners appearing in revocation hearings during the years from 1988 to 1993 further support the validity of the scores and the Board's reliance on these scores. Of the 1350 prisoners revoked during that six year period, only 7% were in the two best risk categories (A & B). (Figure #6). Nearly all of the parolees violated during those years (93%) had a risk score of 15 or higher.

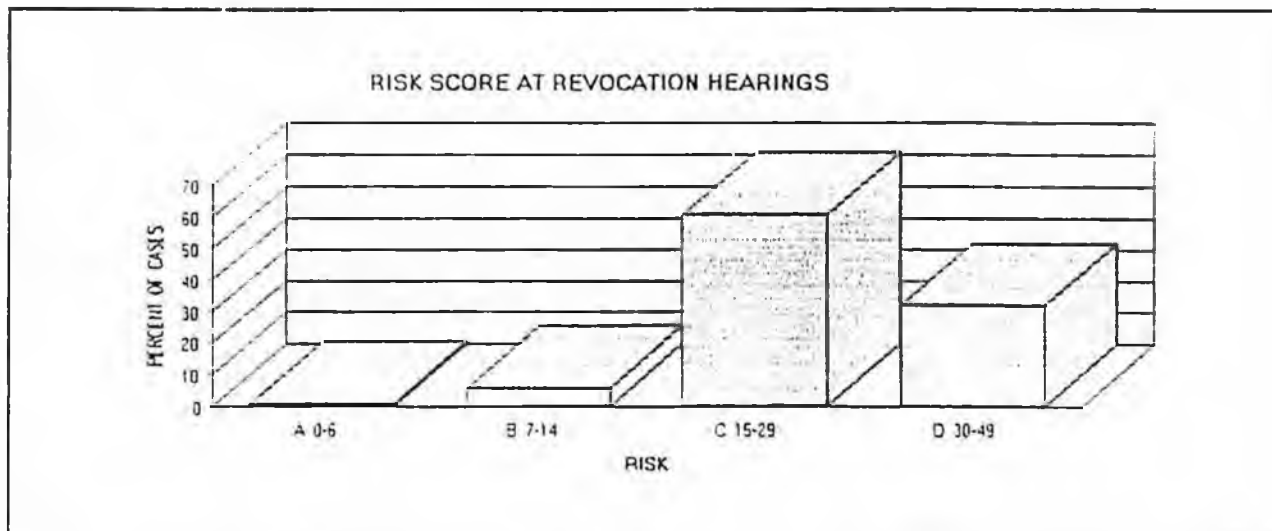


Figure #6

### Parole Guidelines

The Board has utilized numerical guidelines for releasing prisoners since 1981. See 22 AAC 20.142. The guidelines are designed for non-presumptively sentenced offenders eligible for discretionary parole. Many other states have guidelines models, including the U.S. Parole Commission. One of the goals in utilizing a guidelines system is to limit the number of cases where a decision is made outside of the suggested guidelines range. In some cases the Board will release a prisoner below the minimum range by making a formal finding of mitigating factors; or the Board will deny parole and thus require a prisoner to serve a term above the guidelines by making a formal finding of aggravating factors. As Figure #7 indicates, the Alaska Board of Parole is finding mitigation in about 7% of the cases appearing before them and is making a finding of aggravation in about 10% of the cases appearing before them.

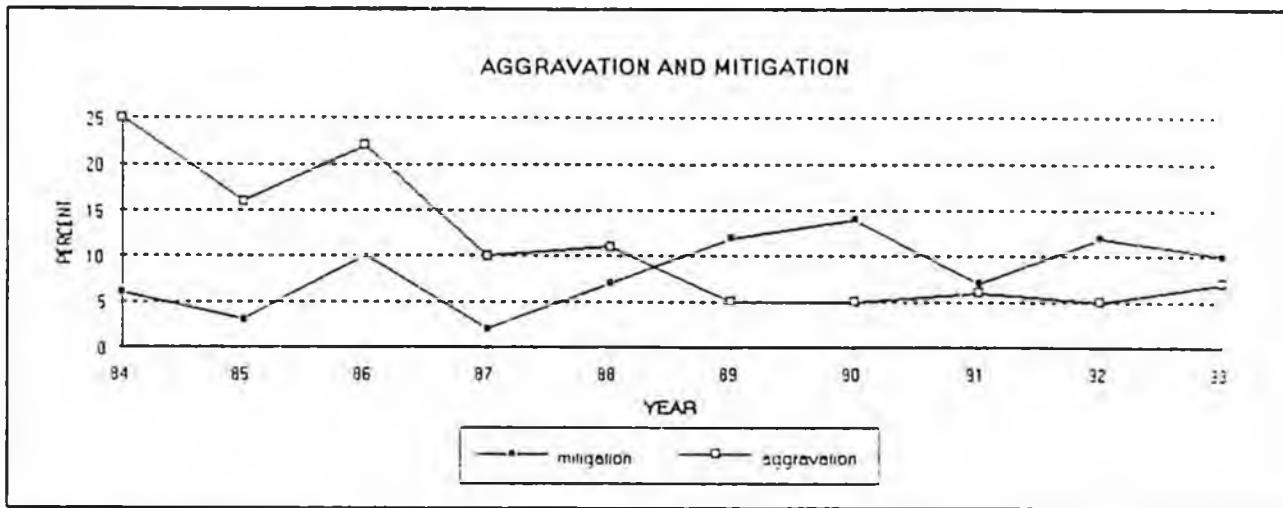


Figure #7

The remaining 83% of decisions are made within the guidelines range and this high percentage of conformity to the guidelines is an indication the Board is making a conscious effort to apply the discretion they have in a fair and equitable manner.

# Alaska State Legislature

Senator Tim Kelly, Chair  
Senator Steve Rieger, Vice Chair  
Senator Bert Sharp  
Senator Judy Salo  
Senator Georgianna Lincoln



STATE CAPITOL, SUITE 101  
JUNEAU, ALASKA 99901-1182  
PHONE: (907) 465-3822  
FAX: (907) 465-3756

## SENATE LABOR AND COMMERCE COMMITTEE

716 W. 4TH. SUITE 400  
ANCHORAGE, AK 99501-2133  
PHONE (907) 258-8180  
FAX: (907) 258-4524

### **SPONSOR STATEMENT: SB 286 - EXTEND THE BOARD OF PAROLE**

SB 286 and its House companion HB 418, introduced by Representative Bettye Davis, would extend the Board of Parole for the customary four-year period under AS 44.66.010(c). Under current law, and without passage of this legislation, the Board will shut down on June 30, 1994. The Board sunsetted on June 30th, 1993, and is in its "close-down" year.

The State Board of Parole was created in 1960 and has been an essential component of Alaska's criminal justice system. There are currently 70 felons on parole supervision. Each year, about 400 prisoners are eligible to be released to discretionary parole supervision for a portion of their sentence. In addition, 500 prisoners are released to mandatory parole supervision for a period equal to one-third of the sentence.

Expiration of the Parole Board will not alter the state's responsibility under Title 33, Chapter 16, which provides for prisoners to be eligible for and supervised on discretionary and mandatory parole. The state will almost certainly be a party to costly litigation to determine the legal status of prisoners, parolees and victims.

The Board of Parole has been an effective vehicle in administering the parole process.

# DRAFT

"Clarifying meeting requirements for activities of the board of parole; and providing for an effective date."

\* **Section 1. PURPOSE.** The purpose of this Act is to validate and affirm the longstanding practice of the board of parole to delegate the setting of special conditions for mandatory parole under AS 33.16.150 to a single board member, subject to a right of review by a quorum of the board of parole. It is the intent of the legislature to expressly ratify this practice and to clarify existing statutes to reflect it.

\* **Sec. 2.** AS 33.16.050(c) is amended to read:

(c) Except as provided in (e) of this section, decisions [DECISIONS] and orders of the board require the affirmative vote of a majority of the members present.

\* **Sec. 3.** AS 33.16.050 is amended by adding a new subsection to read:

(e) A meeting of the board is not required for a decision or order setting special conditions of mandatory parole by a single member of the board under AS 33.16.150(b) and (e), unless a prisoner or parolee aggrieved by the decision or order requests a change in parole conditions to the full board under AS 33.16.150(e) and AS 33.16.160.

\* **Sec. 4.** AS 33.16.150 is amended by adding a new subsection to read:

(e) The board may delegate its authority under this section to a single member of the board to issue a decision or order on behalf of the board setting special conditions of mandatory parole. A prisoner or parolee aggrieved by a

# DRAFT

decision or order of a single board member may request a change in mandatory parole conditions by applying to the full board under AS 33.16.160.

\* Sec. 5. Sections 1 - 4 of this Act are retroactive to January 1, 1986.

\* Sec. 6. Section 1 - 4 and 5 of this Act take effect immediately under AS 01.10.070(c).

**SENATE COMMITTEE REPORT**  
FIRST COMMITTEE OF REFERRAL

DATE: 2/9/94

FURTHER: Judiciary

Date of 5-Day Notice: 2/10/94  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2/16/94

L&C Committee considered SB 286

"An Act extending the termination date of the Board of Parole; and providing for an effective date."

and recommends:

replace with \_\_\_\_\_ CS \_\_\_\_\_ ( )

attaches amendment(s)

adopts \_\_\_\_\_ Letter of Intent

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

same title  
 new title  
 technical title change  
(HB only)

do pass

do not pass

no recommendation

individual recommendations

**FISCAL NOTE INFORMATION**

Department	Date	Zero	Fiscal
CORRECTIONS	2/14/94	<input checked="" type="checkbox"/>	

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

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

DO PASS:

\_\_\_\_\_  
*Steve Kiri*  
 \_\_\_\_\_  
*Don Sharp*  
 \_\_\_\_\_  
*Tom Kelly*  
 \_\_\_\_\_

OTHER RECOMMENDATIONS:

\_\_\_\_\_  
*Judith G. Salo (No Rec)*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
*Tom Kelly - No Rec*

Chair: Signature and Recommendation

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO. SB 286

Revision Date: \_\_\_\_\_ Dept. Affected: Corrections  
 Title: An Act extending the Parole Board BRU: Admin/Support  
 Component: Parole Board  
 Sponsor: Sen. Kelly  
 Requestor: Sen. L&C COMPONENT SERIAL NO. 605

**Expenditures/Revenues**

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
-------------------------------	----------	----------	----------	----------	----------	----------

**FUND SOURCE**

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimate of any current year (FY94) cost: \$ 0

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

The Parole Board is contained in the department's proposed FY95 budget.

Prepared by: Diane Schenker, Special Assistant Phone: 465-4643/786-2147  
 Division: Office of the Commissioner Date: 7/11/94  
 Approved by Commissioner: J. Frank Prewitt, Jr. Date: 2/14/94  
 Agency: Department of Corrections

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

**SB**

**289**

WALTER J. HICKEL  
GOVERNOR



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

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

SB 289

February 9, 1994

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

*Dear Mr. President:*

*Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill making appropriations to satisfy the monetary terms of collective bargaining agreements for certain public employees.*

*This bill, if enacted into law, would make a total appropriation of \$368,630 to satisfy the monetary terms of collective bargaining agreements with the Alaska Vocational Technical Center Teachers' Association and the Marine Engineers' Beneficial Association. The appropriations are necessary to satisfy agreed-upon obligations under those agreements.*

*I urge your prompt consideration and passage of the bill.*

*Sincerely,*

A handwritten signature in cursive script that reads "Walter J. Hickel".

Walter J. Hickel  
Governor

# STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

## DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER

P.O. BOX 110200  
JUNEAU, ALASKA 99811-0200  
PHONE: (907) 465-2200  
FAX: (907) 465-2496

February 14, 1994

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


Dear Senator Kelly:

This is to request your consideration in scheduling Senate Bill 289 for hearing by the Senate Labor and Commerce Committee as soon as possible.

This bill makes appropriations for the FY 94 and FY 95 monetary terms of collective bargaining agreements negotiated with the Alaska Vocational Technical Center Teacher's Association and the Marine Engineers' Beneficial Association.

Thank you.

Sincerely,

  
Nancy Bear Usera  
Commissioner

NBU/nl  
cc: Shelby Stastny  
Director  
Office of Management & Budget

Raga Elim  
Legislative Liaison  
Office of the Governor

LICENSED ALASKA MARINE HIGHWAY ENGINE ROOM EMPLOYEES (MEBA)

Description: Exempt, licensed engineers responsible for mechanical and electrical functions on ferries, supervise unlicensed engine room personnel.

Size: 75 employees, as of February 15, 1994.

Exclusive Representation: District No. 1 – Pacific Coast District, MEBA.  
Business Agent: Mark Austin - Seattle

Affiliation: AFL-CIO

Established: 1962.

First Agreement Effective: November 30, 1962.

Prior Agreement Expired: March 31, 1993.

Average Monthly Salary (as of 6/30/93): \$6,071.33

Average Yearly Salary (as of 6/30/93): \$72,856

Total Overtime for BU (for year ended December 31, 1993): \$431,338.49

Average Monthly Employer Benefits (as of 6/30/93): \$2,152.83

Average Yearly Employer Benefits (as of 6/30/93): \$25,834

Average Years of Service (as of December 31, 1993): 15.92

Notes; Averages and employee counts provided by AMHS.

Size: Actual active employee count as of 2/15/94. Includes both full time and part time employees.

Avg. Salary: For FY-93. Total wages excluding employer benefits. Includes Overtime, uniform allowances, leave used, regular wages etc.

Avg. Employer Benefits: For FY-93. Includes all employer benefits (Work. Comp, SBS, Health Ins, Pension Plans, Unempl. Ins., Terminal Leave etc.)

— MEBA AGREEMENT —

MEBA  
1993-1996

Management Goals

- Increase management flexibility to respond effectively to the changing economic conditions of the State while maximizing the quality of government services to the public.
  1. Conditions Not Specifically Covered: Eliminated management's obligation to negotiate on permissive subjects of bargaining.
  2. Free Passage: Negotiated a provision that allows management to charge AMHS employees traveling on annual passes for transporting oversized vehicles.
- Improve productivity, accountability, consistency, and efficiency of State government operations.
  1. Port Engineers Supplement: Reduced paid holidays from 12 to 11, eliminated penalty pay for early call back from vacation status, and limited overtime to preapproved hours only.
  2. Discipline: Negotiated firm discharge language for employees violating the Employer's drug testing policy.
  3. Maintenance & Cure: Negotiated a maintenance rate of \$45.00 per day.
  4. Personal Leave: Negotiated leave reopener in the fall of 1994.
- Realign the cost of personal services, moderating the State's relative position as a provider of wages and benefits so as to reflect the current and foreseeable economic environment.
  1. Health Insurance: Negotiated bargaining unit inclusion in the Employer provided plan or a Union provided trust. Health Insurance reopener in the fall of 1994.
  2. Wages: 2.9 % Cost of Living adjustment effective 9/1/94 (based on Anchorage CPI). Wage reopener in the fall of 1994 with wage rates effective 9/1/95.
  3. Southwest Supplements: Reduced compensation costs for Southwest System employees while assigned to the shipyard.
  4. Port Engineers Supplement: Reduced monthly wages and Cost of Living Differential payment

SUMMARY OF CHANGES  
M. U. A 1993 -1996 AGREEMENT

PROVISION	90 - 93 AGREEMENT	93 - 96 AGREEMENT	MARKET STANDARD
RULE 9 - Maintenance & Cure	Standard Worker's Comp provisions.	Jones Act Maintenance Rate: \$45.00 per day.	Washington State maintenance rate \$30.00 per day.
RULE 12 - Moving Expenses:	State obligated to pay employee's moving expenses at any point he or she relocates to Alaska.	State obligated to pay employee's moving expenses within one year of hire if he or she relocates to Alaska.	N/A
RULE 17 - Pay Plan	COLA increase 4/1/90 of 3.3%. COLA increase 4/1/91 of 5.51% and a COLA increase 4/1/92 of 3.6%.	COLA up to 5% effective 9/1/94. Wage reopener in the fall of 1994 with negotiated changes effective 9/1/95.	AMHS non-resident wages slightly higher than comparable wages in the Washington State and British Columbia Ferry Systems.
RULE 27 - Health Insurance	\$423.50 per month per employee.	Employer provided HI plan with option to go to a Union provided HI trust @ \$450.00 per month per employee	Washington State info not available, British Columbia participates in Canadian system.
RULE 30 - Standard Dress	\$300.00 per annum for each employee. \$400.00 per annum for those employees wearing dress uniforms.	\$400.00 per annum for each employee. \$600.00 per annum for those employees wearing dress uniforms.	Washington State and British Columbia Ferry Systems provide uniforms.
SOUTHWEST AGREEMENT - M/V TUSTEMENA	Employees remain on Southwest pay schedule (guarantee of 56 hrs per week) while the ship is in the yard.	Employees transfer to Southeast pay schedule (guarantee of 42 hours per week) while the ship is in the yard.	N/A
SOUTHWEST AGREEMENT -M/V BARTLETT	Employees remain on Southwest pay schedule (guarantee of 84 hrs per week) while the ship is in the yard.	Employees transfer to Southeast pay schedule (guarantee of 42 hours per week) while the ship is in the yard.	N/A

STATE OF ALASKA BARGAINING UNITS

ALASKA VOCATIONAL TECHNICAL CENTER TEACHERS (AVTEC)

Description: Exempt, non supervisory, teachers in the Department of Education, employed by the Alaska Vocational Technical Center.

Size: 36 employees, as of December 31, 1993

Exclusive Representation: Alaska Vocational Technical Teachers Association (AVTECA)  
President - Ben Ikerd

Affiliation: National Education Association - Alaska (NEA). NEA has an advisory role.

Established: By mutual recognition of AVTECA under AS 23.40 (PERA) on September 19, 1991.

First Agreement Effective: Under PERA, July 1, 1993.

Prior Agreement Expired: June 30, 1992 (negotiated with Board of Education, DOE)

Average Monthly Salary (as of December 31, 1993): \$4,068.54

Average Yearly Salary (as of December 31, 1993): \$48,822.48

Note: Employees normally work 10 1/2 months in each calendar year.

Total Overtime for BU (for year ended December 31, 1993): \$2,878.91

Average Monthly Employer Benefits (as of December 31,): \$987.64

Average Yearly Employer Benefits (as of December 31, 1993): \$11,851.68

Average Years of Service (as of December 31, 1993): 8.73

Notes: Size: Number of employees is based on permanent, probationary and provisional full time employees as of 12/31/93.

Avg. Mo. Salary Source: Ave. Semi-monthly pay for last pay run of the Quarter. 1/31/93. Includes only Permanent, Probationary, and provisional full time employees. Salary includes Regular compensation, Leave, Differential, Standby, Hazard and Leadman Pay. Overtime is not included in the monthly or yearly averages.

Avg. Employer Benefits Source: Payroll calculation sheet/ effective 1/1/94. Includes only Health Ins, Retirement, and SBS. Workers Comp, leave cash-in, Medicare and Unemployment insurance are excluded.

Yearly OT by BU. Source: RH092592 Calendar YTD Pay types by BU as of 12/31/93. Includes total overtime pay for the calendar year for the entire bargaining unit without regard to employee status.

- AVTEC AGREEMENT -

AVTECTA AGREEMENT  
JULY 1993-JUNE 1996

Management Goals:

- \* Increase management flexibility to respond effectively to the changing economic conditions of the State while maximizing the quality of government services to the public.
  1. Management Rights - Added management rights clause to contract.
  2. Layoff - Clarified layoff procedure specific to facility.
  3. Sabbaticals - Added, at employer discretion, after seven years continuous service.
  
- \* Improve productivity, accountability, consistency, and efficiency of State government operations.
  1. Leave - FY95 annual leave cashed out and eliminated.
  2. Dispute Resolution - Added complaint procedure for disputes other than interpretation of contract.
  
- \* Realign the cost of personal services, moderating the State's relative position as a provider of wages and benefits so as to reflect the current and foreseeable economic environment.
  1. Education based Wage Rates - FY95 additional credits must be job-related.
  2. Wages - FY94 and FY95 no COLA. FY95 schedule changes result in some increases. FY96 COLA up to 2%. Eliminated automatic 3% longevity increments.
  3. Health Insurance - FY94-95 on employer sponsored plan. FY96 may convert to trust at \$450.

## Bargaining Unit Summary of Negotiations

Unit	Size	Expires	Status
1. Labor, Trades and Crafts (LTC)	1,600	12/31/94	FY 94 funding approved. Negotiations begin in October 1994 for successor. FY95: Additional \$24 per month for health insurance required.
2. Correspondence Teachers (ACSEA)	24	12/31/95	FY 94 funding approved. FY 95 Funding approval required for COLA
3. Confidential (K)	200	12/31/92	Tentative agreement reached for two year agreement. Awaiting ratification.
4. Masters, Mates & Pilots (MM&P)	61	03/31/94	Bargaining scheduled to begin in February 1994.
5. Mt. Edgecumbe Teachers	15	06/30/93	Contract expired. Bargaining ongoing.
6. Marine Engineers (MEBA)	75	10/31/96	New contract; monetary terms not yet approved by the legislature. Funding required FY 95 COLA
7. Supervisory (SU)	1,060	06/30/94	New contract effective 07/01/93. No changes in monetary terms. Tentative agreement reached for successor.
8. General Government (GGU)			
Class 1 (can not strike)	2,000	04/30/93	Contract expired. Bargaining in process.
Class 2 & 3 (can strike)	6,400	12/31/92	Contract expired. Bargaining in process.
9. Public Safety (PSEA)	430	12/31/91	Arbitrator's award received. Monetary terms submitted to the legislature. Terms retroactive to 01/01/92, expire 12/31/94.
10. Inlandboatmen (IBU)	625	03/31/93	Contract expired. Tentative agreement reached, rejected by membership. Bargaining resumed in February 1994.
11. Alaska Vocational Technical Center (AVTEC)	36	06/30/96	New contract; monetary terms not yet approved by the legislature.

Note: Negotiations generally commence 90-120 days prior to contract expiration and may extend beyond termination date. Interest arbitration is possible if impasse is reached with the GGU.

BARGAINING UNIT SUMMARY OF  
NEGOTIATIONS / SALARY & BENEFIT AVERAGES

**BARGAINING UNIT SUMMARY**  
February 23, 1994

	Size	Average Monthly Salary	Average Yearly Salary	Average Montly Employer Benefits	Average Yearly Employer Benefits	Average Years of Service
GGU Class 1(GC)	729	3,705	44,460	891	10,696	7.25
Class 1(GY)	134	3,389	40,667	823	9,874	6.20
Class 2 & 3	6804	3,149	37,785	792	9,503	7.42
SU	1,011	4,814	57,762	1,006	12,074	13.01
LTC	1,381	3,526	42,317	956	11,471	9.18
CEA	149	2,912	34,943	761	9,136	7.29
PSEA AA	350	4,309	51,703	974	11,688	11.55
AP	79	4,254	51,051	967	11,599	10.53
IBU	600	2,817	33,814	1,134	13,610	8.90
MEBA	75	6,071	72,856	2,153	25,834	15.71
MM&P	68	5,925	71,110	1,903	22,833	14.97
AVTECA	36	4,069	48,822	988	11,852	8.73
TEAME	16	4,249	50,986	1,014	12,171	5.27
ACSEA	20	4,206	50,473	1,008	12,096	7.8

STATE OF ALASKA  
Contract Negotiations

GOALS AND OBJECTIVES

The State of Alaska has the following goals and objectives for labor contract negotiations:

Goals

1. Maximize the quality, cost effectiveness, and productivity of government services to the public.
2. Enhance management flexibility to respond effectively to changes in economic conditions and operational needs.
3. Realign the cost of wages and benefits to:
  - a. bring the State's compensation package back into appropriate standards;
  - b. reflect the current and foreseeable economic environment; and
  - c. prioritize benefits and funding to meet labor and management's common interest in providing for employees' greatest benefit needs.
4. Modify the contract to provide opportunities for improving productivity, accountability, consistency, and efficiency of State government operations.

**BARGAINING UNIT SUMMARY**  
February 23, 1994

	Size	Average Monthly Salary	Average Yearly Salary	Average Montly Employer Benefits	Average Yearly Employer Benefits	Average Years of Service
GGU Class 1(GC)	729	3,705	44,460	891	10,696	7.25
Class 1(GY)	134	3,389	40,667	823	9,874	6.20
Class 2 & 3	6804	3,149	37,785	792	9,503	7.42
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CEA	149	2,912	34,943	761	9,135	7.29
PSEA AA	350	4,309	51,703	974	11,688	11.55
AP	79	4,254	51,051	967	11,599	10.53
IBU	600	2,817	33,814	1,134	13,610	8.90
MEBA	75	6,071	72,856	2,153	25,834	15.71
MM&P	68	5,925	71,110	1,903	22,833	14.97
AVTECA	36	4,069	48,822	988	11,852	8.73
TEAME	16	4,249	50,986	1,014	12,171	5.27
ACSEA	20	4,206	50,473	1,008	12,096	7.8

**SENATE COMMITTEE REPORT**  
FIRST COMMITTEE OF REFERRAL

DATE: 2/9/94

FURTHER: Finance

Date of 5-Day Notice: 2/24/94  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3/1/94

L&C Committee considered SB 289

"An Act making appropriations to satisfy the agreed-upon monetary terms of certain collective bargaining agreements for certain public employees; and providing for an effective date."

and recommends:

replace with \_\_\_\_\_ CS \_\_\_\_\_ ( )

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

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

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

**DO PASS:**

Judith S. Salo  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OTHER RECOMMENDATIONS:**

Bob Thompson NR  
Steve Pini No Recommendation  
Deanna [unclear] NR  
\_\_\_\_\_  
\_\_\_\_\_

Tom Kelly - Do Pass

Chair: Signature and Recommendation

*Get info on average hours worked & pay for 15 yr. Mech Employees*

8-GS2041.A

SENATE BILL NO. 289

IN THE LEGISLATURE OF THE STATE OF ALASKA  
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/9/94  
Referred: L&C, FIN  
Funding Information: General Fund \$130,800 <sup># 12,000</sup>  
Other Funds 237,830 <sup># 276,630</sup>  
\$368,630

A BILL

FOR AN ACT ENTITLED

1 "An Act making appropriations to satisfy the agreed-upon monetary terms of  
2 certain collective bargaining agreements for certain public employees; and providing  
3 for an effective date."

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

5 \* Section 1. The sum of \$92,000 is appropriated from the general fund to the Department  
6 of Education to satisfy the monetary terms of the collective bargaining agreement with the  
7 Alaska Vocational Technical Center Teachers' Association for the fiscal year ending June 30,  
8 1995.

9 \* Sec. 2. The sum of \$38,800 is appropriated from the Alaska marine highway system fund  
10 (AS 19.65.060(a)) to the Department of Transportation and Public Facilities, Alaska marine  
11 highway system, to satisfy the monetary terms of the collective bargaining agreement with the  
12 Marine Engineers' Beneficial Association for the period from July 1, 1993 through June 30,  
13 1994.

14 \* Sec. 3. The sum of \$237,830 is appropriated from the Alaska marine highway system

1 fund (AS 19.65.060(a)) to the Department of Transportation and Public Facilities, Alaska  
2 marine highway system, to satisfy the monetary terms of the collective bargaining agreement  
3 with the Marine Engineers' Beneficial Association for the fiscal year ending June 30, 1995.

4 \* Sec. 4. The unexpended and unobligated balances of the appropriations made by secs.  
5 1 and 3 of this Act lapse into the funds from which they were appropriated, June 30, 1995.

6 \* Sec. 5. The unexpended and unobligated balance of the appropriation made by sec. 2 of  
7 this Act lapses into the Alaska marine highway system fund (AS 19.65.060(a)), June 30, 1994.

8 \* Sec. 6. This Act takes effect immediately under AS 01.10.070(c).

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8  
2 & 3

~~1~~  
2 & 3 together

**SB**

**298**

# Legislative Research Agency

Alaska State Legislature



130 Seward Street, Suite 218  
Juneau, Alaska 99801-2196

Phone: (907) 465-3991  
Fax: (907) 463-3351

March 1 1994

## MEMORANDUM

TO: Representative Cynthia Toohey

FROM: Patricia Young *by Young*  
Legislative Analyst

RE: **Licensing Requirements for Medical Doctors**  
Research Request 94.159

You asked if other states require that physicians be interviewed by members of the state medical board as a condition of licensure. As you know, pursuant to AS 08.64.255, this is the case in Alaska.

According to information provided by the Federation of State Medical Boards of the United States (FSMB), 18 states require interviews of all license applicants. Interviews are required of some applicants in 21 states. Interviews are not required of applicants in 8 states or the District of Columbia. It is not clear what is required in 3 states. The pertinent table from the FSMB's publication on licensing requirements, *1992-1993 Exchange*, is attached. Relevant information provided by Leslie Haywood, executive secretary of the Alaska State Medical Board, is also attached.

As you will see from the final attachment, "Section V. Requirements for Full Licensure," of FSMB's *Guide to the Essentials of a Modern Medical Practice Act*, sixth edition, published in 1991, the federation supports personal appearances by applicants.

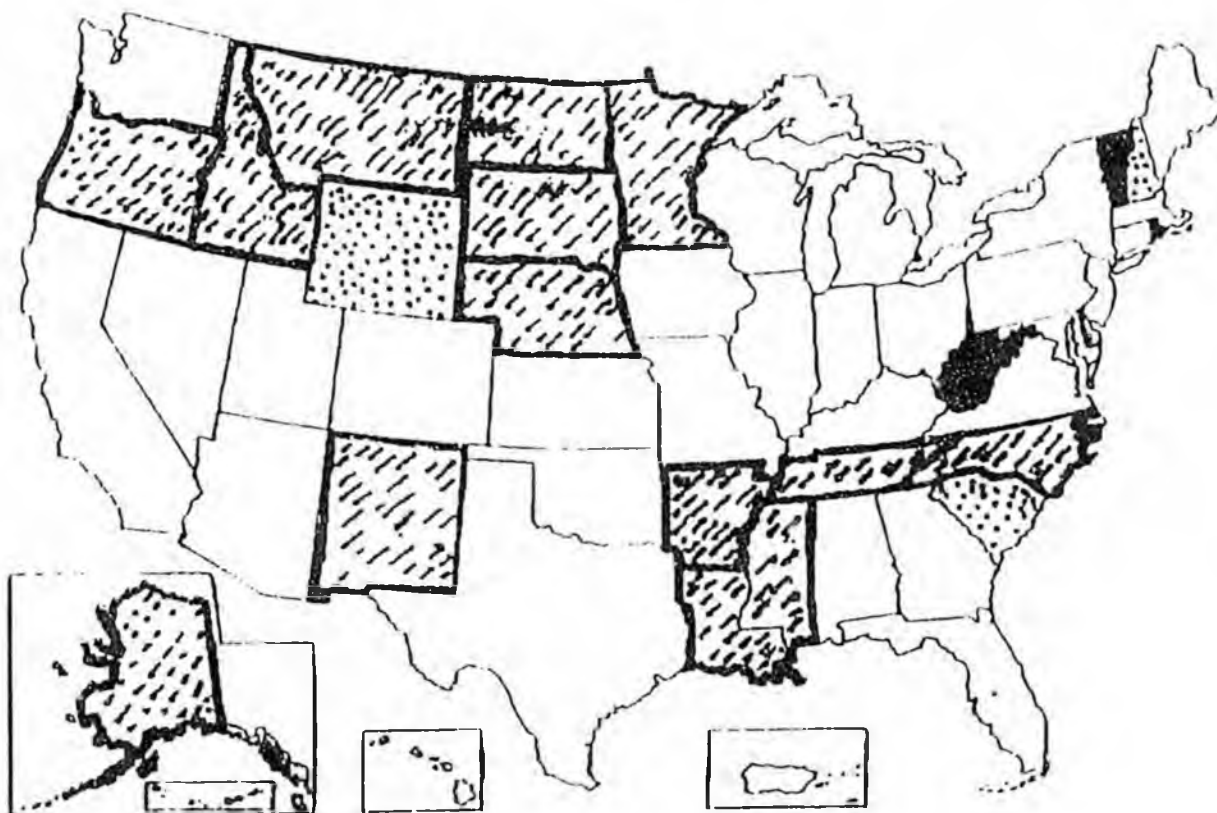
I hope this information is sufficient for your purposes. If you have questions, or need further information, please let us know.

Attachments

**LICENSING REQUIREMENTS FOR  
MEDICAL DOCTORS ACROSS U.S.A.**

Option # 1 Change in Division of Occupational Licensing procedure; Licensee schedules interview

Option # 2 Propose revision of AS 08.61.255 and 12 AAC 40.055 to include ' or a person designated for that purpose by the board '



## United States Medical Licensure Statistics

### *Request/Interview:*

Alaska  
Arkansas - Interview & orientation  
Delaware - Two interviews  
Guam - Interview  
Idaho - Reviews license application with applicant  
Louisiana - Interview  
Minnesota - Interview  
Mississippi - Interview  
Montana - Interview  
Nebraska - Interview  
New Mexico - Interview and orientation  
North Carolina - Interview  
North Dakota - Interview  
Oregon - Interview  
Rhode Island - Interview  
South Dakota - Interview  
Tennessee - Interview  
Vermont - Interview  
West Virginia - Interview

### *Full Board Interview:*

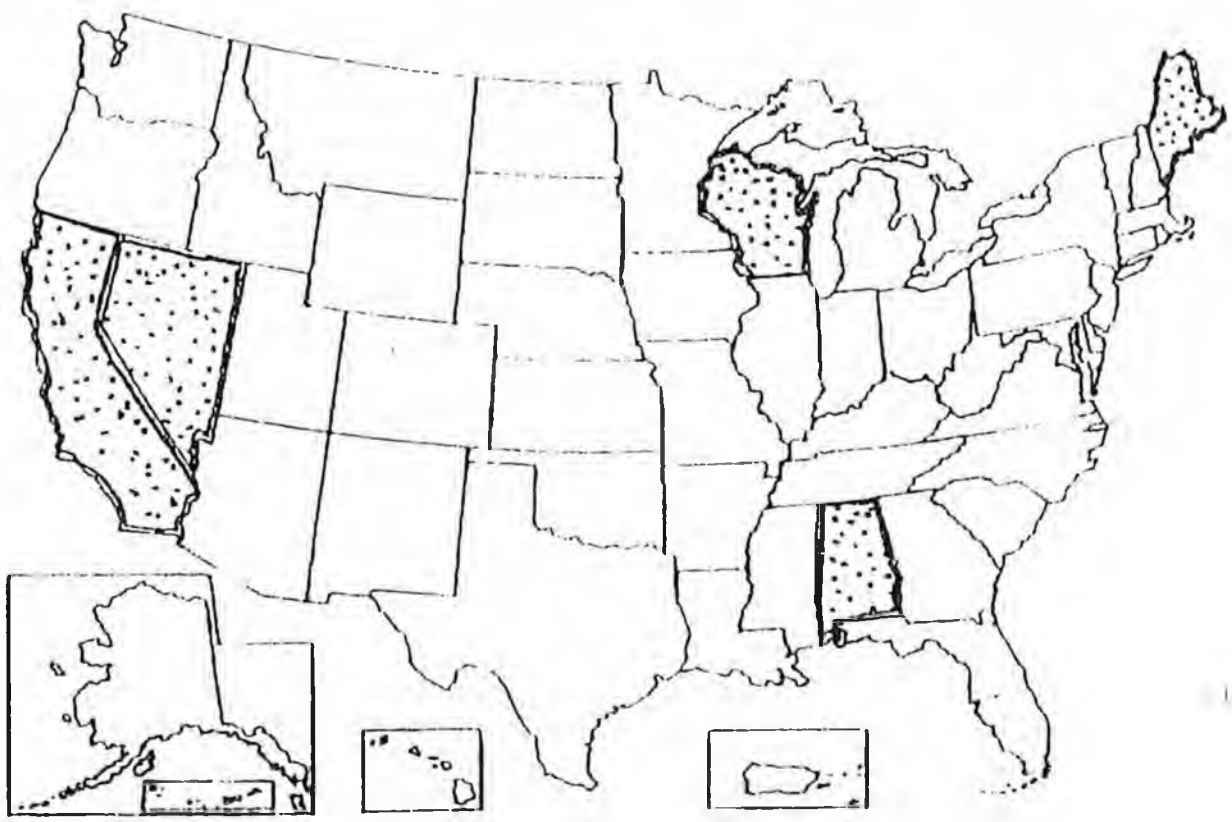
New Hampshire  
South Carolina  
Wyoming

Option # 3 Propose revision of 12.AAC 40.055 to include ' or a possible oral exam.'

### United States Medical Licensure Statistics

#### Oral Exam or Possible Oral Exam

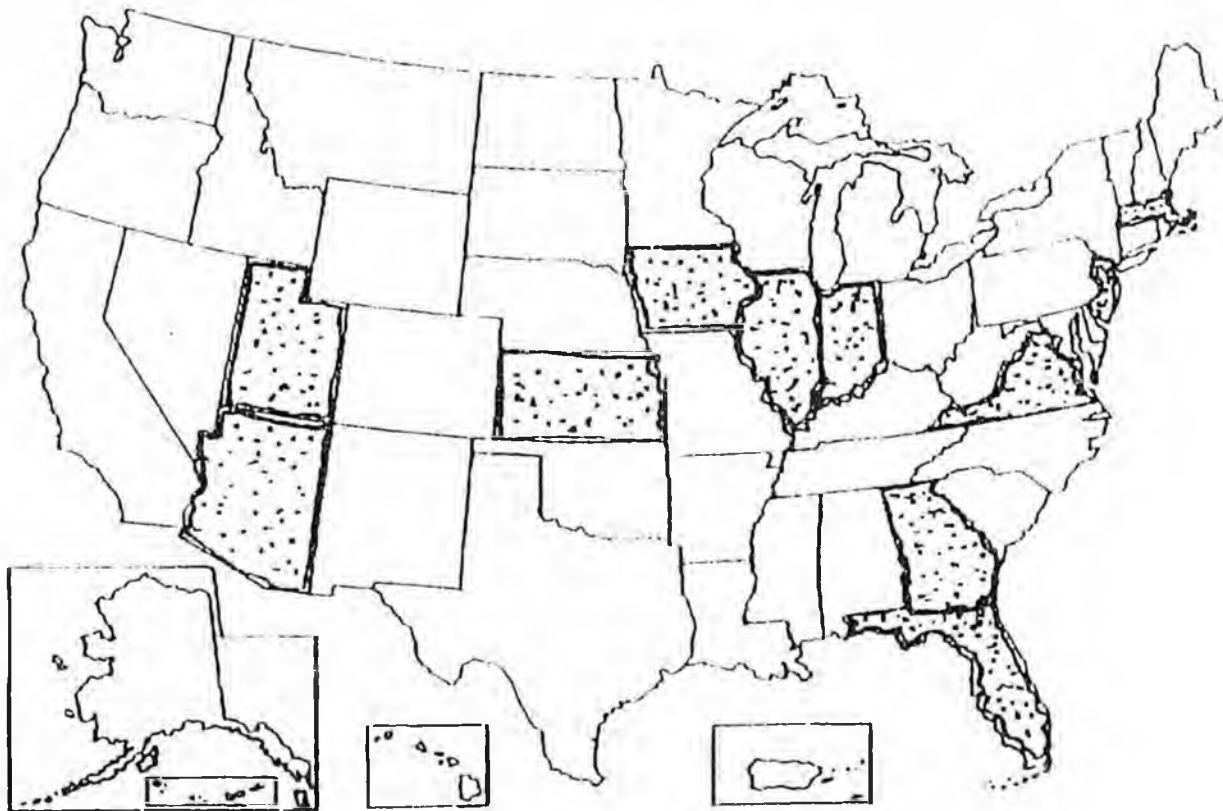
- Alabama - Oral exam if not American board certified within 10 years
- California - Oral exam & written exam at board discretion.
- Maine - Oral exam. (No further information available.)
- Nevada - Oral exam only at board request.
- Wisconsin - Oral Exam only at board request.



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Option # 4

Propose revision of AS Sec. 08.64.255, AS Sec. 08.64.279 and 12 AAC 40.055 to read:  
'Possible interview required.'



United States Medical Licensure Statistic

*Possible Interview.*

- Arizona
- Florida
- Georgia
- Illinois
- Indiana
- Iowa
- Kansas
- Massachusetts
- New Jersey
- Utah
- Virginia

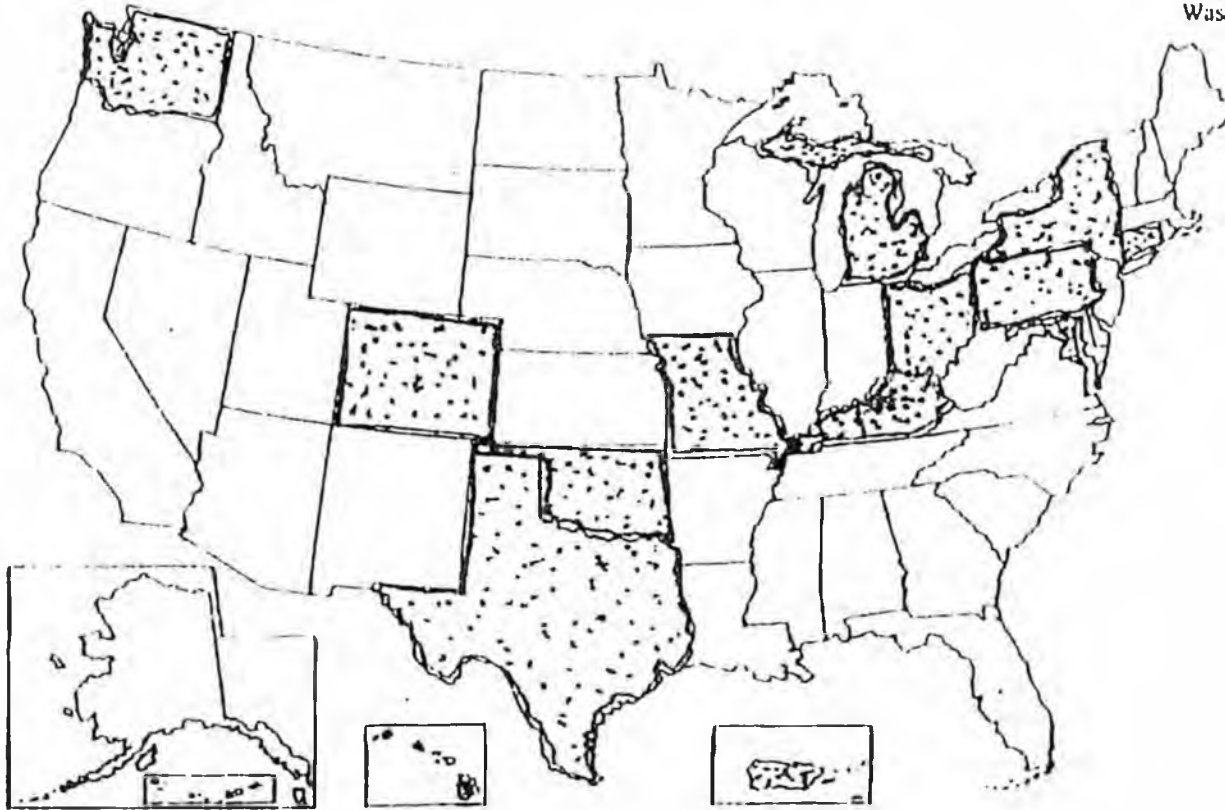
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United States Medical Licensure & fees

No interview.

- Colorado - Finger prints, notarized passport or birth certifi
- Connecticut
- District of Columbia
- Hawaii
- Kentucky
- Maryland
- Michigan
- Missouri
- New York
- Ohio
- Oklahoma
- Pennsylvania
- Puerto Rico
- Texas
- Washington

Option # 5 Propose deletion of AS Sec. 08.04.255, AS Sec. 08.04.279 and 12 AAC 40.055



# Alaska State Senate

**SENATOR STEVE RIEGER**  
District I

State Capitol  
Room 516  
Juneau, Alaska 99801  
(907) 465-3879

Senate Finance Committee  
Chair, Senate Health, Education  
and Social Services Committee  
Vice Chair, Senate Rules Committee  
Vice Chair, Senate Labor and  
Commerce Committee

## MEMORANDUM

**TO:** Senator Tim Kelly  
Chair, Labor and Commerce Committee

**FROM:** Senator Steve Rieger *SR*

**RE:** CS for SB 298(HES)

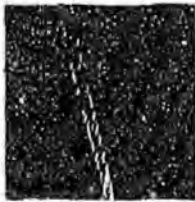
**DATE:** April 13, 1994

Please schedule SB 298, "An Act relating to licensure by the State Medical Board and temporary permits for certain optometrists," at your earliest convenience.

Attached are the two versions of the bill, fiscal note, letter of support from the Alaska State Medical Association, and research regarding licensing in other states.

Thank you for your consideration of this request.

Attachment



# ALASKA STATE MEDICAL ASSOCIATION

4107 Laurel Street • Anchorage, Alaska 99508-5334 • (907) 562-2662

April 14, 1994

Senator Tim Kelly  
Alaska State Legislature  
P. O. Box V (MS 3100)  
Juneau, Alaska 99811

Dear Senator Kelly:

I enjoyed talking yesterday with your aide Josh about Senate Bill 298 relating to licensure by the State Medical Board that now sits before you committee. I have been actively involved in testimony and amendments to the companion bill HB 507.

State law currently mandates personal interviews with members of the State Medical Board for all applicants for medical licensure. This has made the application process very inconvenient, time consuming, and expensive, especially so for physician in rural parts of the state and in all of Southeast Alaska where there is not currently a medical board member. Additionally, the interviews themselves have been little more than a brief exchange of pleasantries frequently taking less time than it takes to drink a cup of coffee.

It is the suggestion of the medical association that the verbiage be changed in the bill from "all applicants for licensure [shall] be interviewed," to "all applicants for licensure MAY be interviewed. This change would still protect the interests of Alaskans. The board could still interview any applicant for which they had any reservation whatsoever but allow them to waive the interview completely when the application was in order. In this day of electronic data banks and FAX machines, the need for personal interviews has faded. Roughly half the state entities in the country have already dropped the requirement for face-to-face interviews. Hopefully, by changing the language, this would free up the State Medical Board from perfunctory busy work and allow them to get onto more pressing needs of investigation and discipline.

If you have any questions regarding this bill, please do not hesitate to contact me.

Sincerely yours,

Donald R. Lehmann, M.D., A.B.F.P. / 2047-5...  
President, Alaska State Medical Association  
Chairman, Legislative Affairs Committee

DRL:bj

- LTR FROM DR. DONALD LEHMANN  
PRES. OF AK STATE MEDICAL ASSOC.



# ALASKA STATE MEDICAL ASSOCIATION

4107 Laurel Street • Anchorage, Alaska 99508-5334 • (907) 562-2662

March 7, 1994

Senator Steve Rieger  
Chairman HESS Committee  
State Capitol, Rm. 516  
Alaska State Senate  
Pouch V  
Juneau AK 99801

Dear Senator Reiger,

On behalf of the Alaska State Medical Association, I would like to offer my strong support for SB 298, an Act relating to licensure by the State Medical Board. This is a good bill that can be made even better. As you may be aware, the requirement that applicants for medical licensure within the state of Alaska have face to face interviews with board members has been a difficult and expensive proposition particularly for physicians in Southeast Alaska and the bush. Allowing designated representatives to conduct the interviews will be of some help.

I must say that after canvassing over 20 physicians in this state I have yet to find anyone that has found the interview to be significant or worthwhile. I have talked with several people who have found the interview to take less than two minutes, my own experience included. In this day of electronic data banks and fax machines, I believe the value of personal interviews is decreasing.

On behalf of the State Medical Association, I would respectfully request that your bill be further amended under Sec. 1, Line 4 to have the word "Shall" changed to "May". This would allow the board to continue to fully obtain and review documentation on all applicants, and allow them to interview any applicant that they wished when they felt further personal information was desirable.

It would also allow them to avoid completely unnecessary interviews and allow them to devote their time, and interests to investigative and disciplinary duties as necessary. Eliminating mandatory personal interviews is not a radical concept. Fewer than half the states currently require board interviews.

Senator Steve Rieger

Page 2

I recently testified before the House HESS Committee on HB the companion bill to SB 298. I was able to convince that committee of the importance of the language change. I would hope that you would likewise amend the Senate version.

If you have any questions regarding SB 298 or the position of the State Medical Association, do not hesitate to contact me. I would be happy to be of assistance.

Sincerely,



Donald R. Lehmann, M.D.  
Chairman, Legislative Affairs Committee  
President, Alaska State Medical Association

DRL:til

A GUIDE TO THE ESSENTIALS OF  
A MODERN MEDICAL PRACTICE ACT

SIXTH EDITION

Approved by the Board of Directors of the  
Federation of State Medical Boards of the United States  
February 22, 1991

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6000 Western Place, Suite 707  
Fort Worth, Texas 76107-4618  
(817) 735-8445

.. GUIDE TO ESSENTIALS OF A  
MODERN MEDICAL PRACTICE ACT ..

## SECTION V

### REQUIREMENTS FOR FULL LICENSURE

The medical practice act should provide minimum requirements for full licensure for the independent practice of medicine that bear a reasonable relationship to the qualifications and fitness necessary for such practice. These provisions of the act should implement or be consistent with the following Federation recommendations.

A. The applicant should provide the Board and attest to the following information and documentation in a manner required by the Board:

1. his or her full name and all aliases or other names ever used, current address, social security number, and date and place of birth;
2. a recent signed photograph, a set of fingerprints of the applicant, and a sample of handwriting;
3. originals of all documents and credentials required by the Board, or notarized photocopies or other verification acceptable to the Board of such documents and credentials;
4. a list of all jurisdictions, United States or foreign, in which the applicant is licensed or has applied for licensure to practice medicine or is authorized or has applied for authorization to practice medicine;
5. a list of all jurisdictions, United States or foreign, in which the applicant has been denied licensure or authorization to practice medicine or has voluntarily surrendered a license or an authorization to practice medicine;
6. a list of all sanctions, judgments, awards, settlements, or convictions against the applicant in any jurisdiction, United States or foreign, that would constitute grounds for disciplinary action under the medical practice act or the Board's rules and regulations;
7. a detailed educational history, including places, institutions, dates, and program descriptions, of all his or her education beginning with secondary schooling and including all college, pre-professional, professional, and professional graduate education;
8. a detailed chronological life history, including places and dates of residence, employment, and military service (United States or foreign);
9. any other information or documentation the Board determines is necessary.

B. The applicant should possess the degree of Doctor of Medicine or Osteopathy from a medical college or school located in the United States, its territories or possessions, or Canada that was approved by the Board or by a private non-profit accrediting body approved by the Board at the time the degree was conferred. No person who graduated from a medical school that was not so approved at the time of graduation should be examined for licensure or be licensed in the jurisdiction based on credentials or documentation from that school nor should such a person be licensed by endorsement.

C. The applicant should have satisfactorily completed at least twenty-four (24) months of progressive graduate medical training approved by the Board or by a private non-profit accrediting body approved by the Board in an institution in the United States, its territories or possessions, or Canada approved by the Board or by a private non-profit accrediting body approved by the Board.

D. The applicant should have passed medical licensing examination(s) satisfactory to the Board.

E. The applicant should have demonstrated a familiarity with the statutes and regulations of the jurisdiction relating to the practice of medicine and the appropriate use of controlled or dangerous substances.

F. The applicant should be physically, mentally, and professionally capable of practicing medicine in a manner acceptable to the Board and should be required to submit to a physical, mental, or professional competency examination or a drug dependency evaluation if deemed necessary by the Board.

G. The applicant should not have been found guilty by a competent authority, United States or foreign, of any conduct that would constitute grounds for disciplinary action under the regulations of the Board or the act. The Board should be authorized, at its discretion, to modify this restriction for cause, but it should be directed to use

such discretionary authority in a consistent manner.

H. The applicant should make a personal appearance before the Board or a representative thereof for interview, examination, or review of credentials. At the discretion of the Board, the applicant should be required to present his or her original medical education credentials for inspection at the time of personal appearance.

I. The applicant should be held responsible for verifying to the satisfaction of the Board the validity of all credentials required for his or her medical licensure. The Board should review and verify medical credentials and screen applicant records through recognized national physician information services (eg, the Board Action Data Bank of the Federation of State Medical Boards, the files of the American Medical Association and the American Osteopathic Association, and other national data banks and information resources).

J. The applicant should have paid all fees and have completed and attested to the accuracy of all application and information forms required by the Board.

*True*

# SENATE COMMITTEE REPORT

DATE: 4/12/94

FURTHER: Judiciary

DATE TURNED INTO OFFICE: 4/20/94

L&C Committee considered SENATE BILL NO. 298

"An Act relating to licensure by the State Medical Board."

and recommends:

- replace with \_\_\_\_\_ CS \_\_\_\_\_ ( )
- or  adopt previous \_\_\_\_\_ CS SB 298 (HES)
- 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

### NEW FISCAL NOTES

Department	Date	Zero	Fiscal

### PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal
<i>CS&amp;SB</i> DCED	<i>2/5/94</i>		<input checked="" type="checkbox"/>

Appropriation No Fiscal Note

DO PASS:

*Bob Murray*

*Steve Rie*

*Judith E. Salo*

OTHER RECOMMENDATIONS:

*Georgianne Lincoln NR*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Tim Kelly - Do Pass*

Chair: Signature and Recommendation

# FISCAL NOTE

No. L

Bill Version: SB 298

BI (S) Publish Date: 4-12-94

**STATE OF ALASKA  
1994 LEGISLATIVE SESSION**

Revision Date: 2/25/94  
 Title: An Act relating to licensure by the  
State Medical Board.  
 Sponsor: Senate HES  
 Requestor: Senate HES

Department: Commerce and Economic Dev.  
 BRU: Occupational Licensing  
 Component: Operations  
 COMPONENT SERIAL NO. 1844

Expenditures/Revenues		(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00	
PERSONAL SERVICES							
TRAVEL							
CONTRACTUAL	1.3	0.0	0.0	0.0	0.0	0.0	
SUPPLIES							
EQUIPMENT							
LAND & STRUCTURES							
GRANTS, CLAIMS							
MISCELLANEOUS							
<b>TOTAL OPERATING</b>	<b>1.3</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	

CAPITAL EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
CHANGE IN REVENUES	1.3	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of \$)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts	1.3					
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>1.3</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Changes in CS SB 298 (HES)  
 reflect **NO FISCAL CHANGE** from the original  
 fiscal note. This fiscal note is appropriate.  
4/11/94 hah  
 date Comptroller (initial)

Estimate of any current year (FY 94) cost: \$ None

POSITIONS	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)  
 SB 298 provides authority for the State Medical Board to designate a representative to interview applicants for licensure. The bill also provides a temporary permit to be issued to provide health care services on a temporary basis in an area of the state where services are needed, as determined by the board under regulations. This fiscal note provides funding to cover the costs of a regulation project to address the issue. Licensing fees will be reviewed and adjusted, if necessary, to cover the costs.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144  
 Division: Occupational Licensing Date: 2/25/94  
 Approved by Commissioner: Paul Fuhs Date: 2-28-94  
 Agency: Commerce and Economic Development

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- FISCAL NOTE -



Official Business

# Alaska State Legislature

## SENATE

State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-3701

April 12, 1994

### MEMO TO FILE

TO: Labor and Commerce Committee  
Finance

BILL/RES. NO.: SENATE BILL NO. 298  
"An Act relating to licensure by the State Medical Board."

ATTENTION: Nancy, Joyce, Heidi  
Senate Secretary's Office

This bill/resolution may need an **additional** referral to the **Finance Committee**.

Leave this note in the file.

Thank you.

**SB**

**300**

# FISCAL NOTE

STATE OF ALASKA  
1994 LEGISLATIVE SESSION

BILL NO : SB 300

Revision Date: \_\_\_\_\_  
Title: Hours spent underground by miners

Department Affected: Labor  
BRU: Labor Standards & Safety

Sponsor: Senator Miller  
Requestor: Senate Labor & Commerce

Component: \_\_\_\_\_  
Wage & Hour  
COMPONENT SERIAL NO. 345

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL</b>						
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<b>REVENUE FUND SOURCE:</b>						
-----------------------------	--	--	--	--	--	--

**FUNDING:** (Thousands of Dollars)


1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

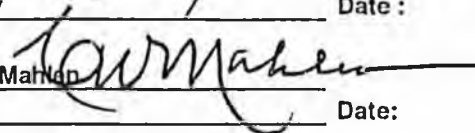
**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ None

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

Prepared by: Donald Study, CSP, Director  Phone: 465-6003  
Division: Labor Standards & Safety Date: 2/18/94

Approved by Commissioner: Charles W. Mahan   
Agency: Department of Labor Date: 2/18/94

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