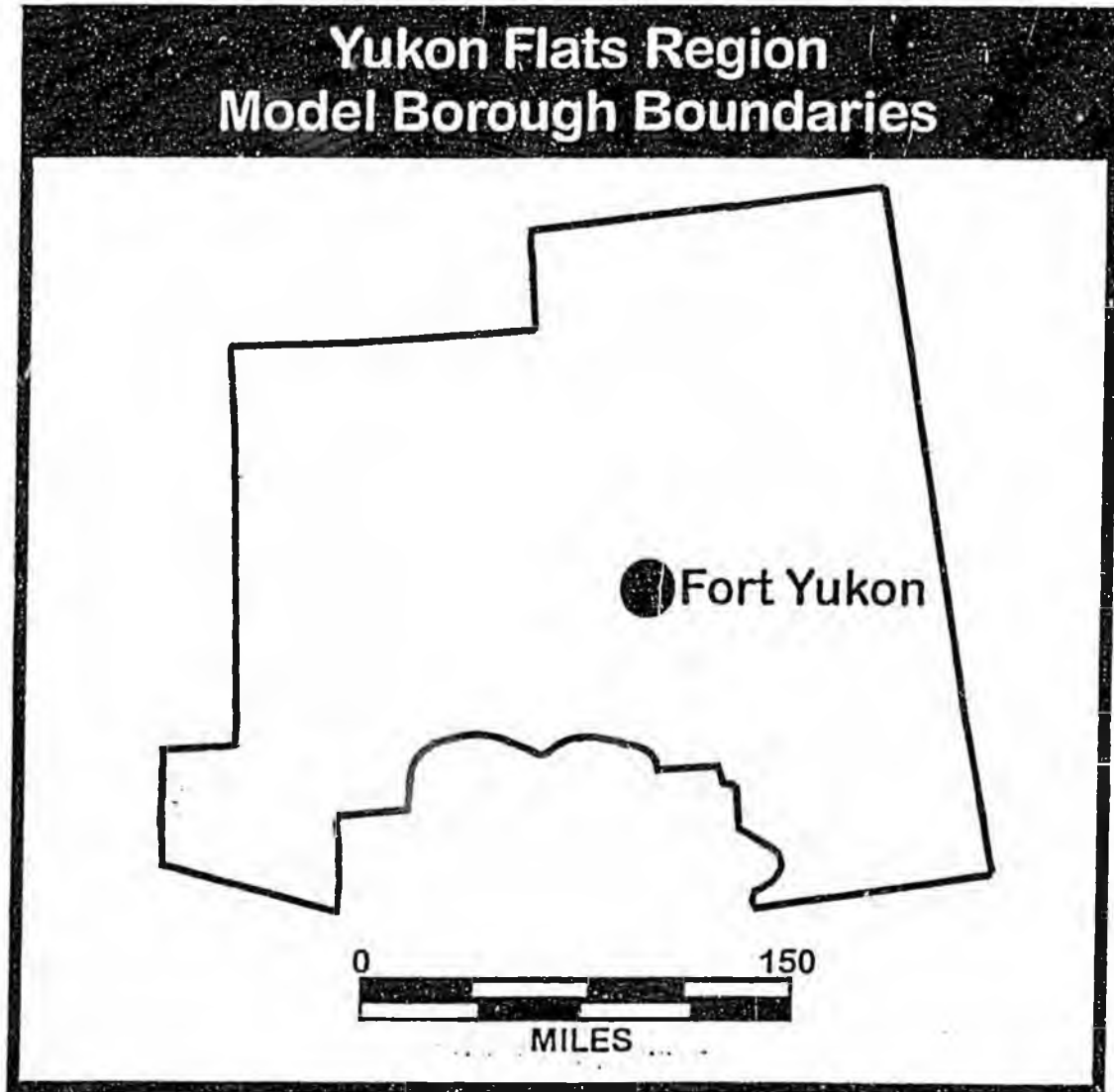


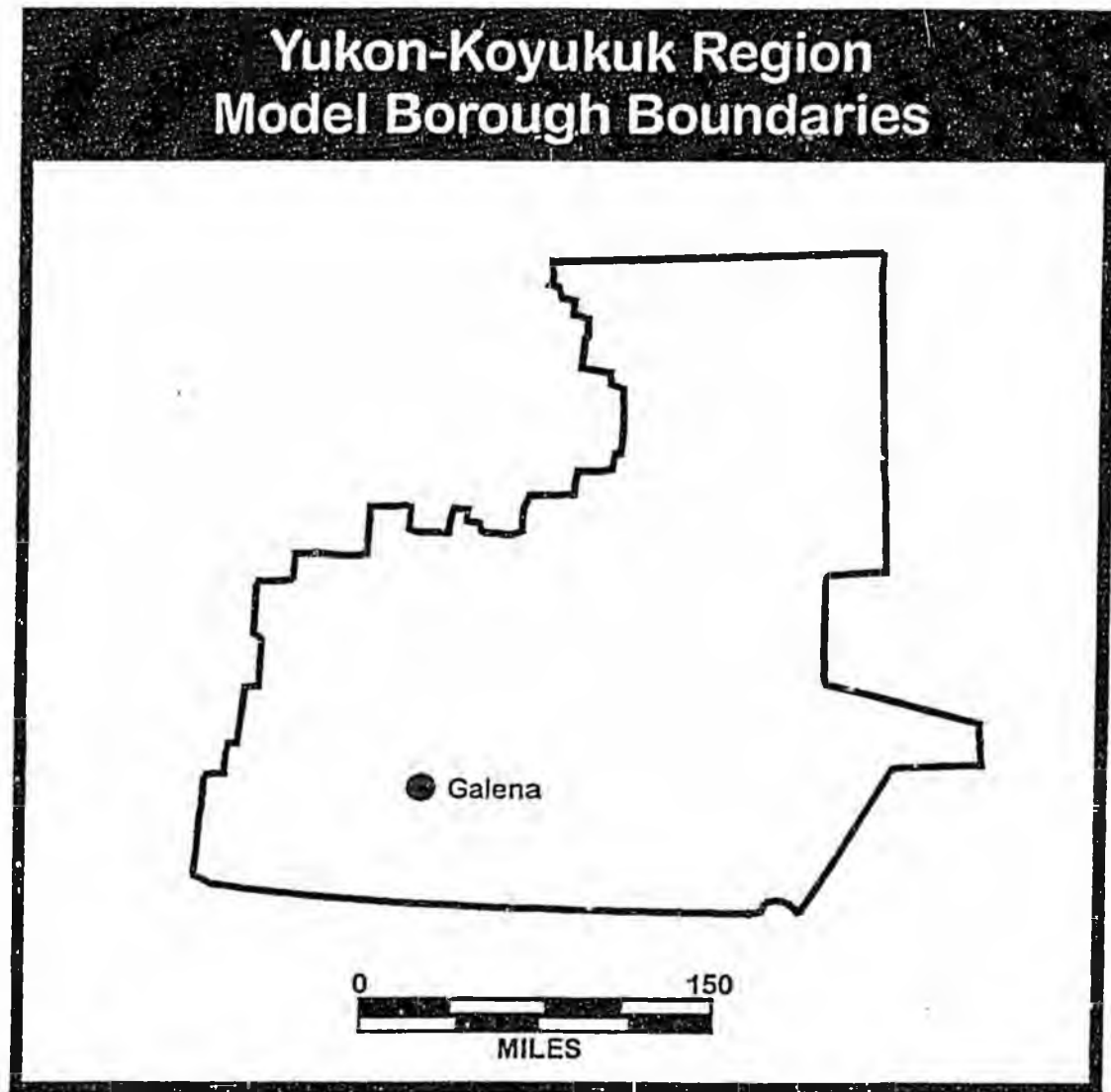
ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8805 HOUSE STATE AFFAIRS

Yukon Flats Region. The Commission conducted a public hearing on model borough boundaries for the Yukon Flats region on May 20, 1990. The hearing was held in Fort Yukon, with teleconference sites established in Rampart, Birch Creek, Beaver, Arctic Village, Venetie and Stevens Village. On November 10, 1990, the Commission defined the model borough boundaries for the region to follow the boundaries of the Yukon Flats Regional Educational Attendance Area with the exclusion of the territory in the model boundaries of the Fairbanks North Star Borough.



Yukon Koyukuk Region. The Commission conducted a public hearing on model borough boundaries for the Yukon-Koyukuk region on May 18, 1990. The hearing was held in Tanana, with teleconference sites established in Nenana, Ruby, Galena, Nulato, Manley Hot Springs, Kaltag, Hughes, Allakaket and Bettles. On November 10, 1990, the Commission defined the model borough boundaries for the region to follow the boundaries of the Yukon-Koyukuk Regional Educational Attendance Area, excluding the area within the model boundaries of the proposed Denali Borough.



APPENDIX

The following lists certain of the reasons why some believe that the provision of Article X, Section 3 of Alaska's Constitution requiring each borough to embrace an area and population with common interests to the maximum degree possible, applies to both organized and unorganized boroughs.

A direct reading of Article X, Section 3 is unambiguous in its application to unorganized boroughs. The provision states in relevant part, "The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. . . Each borough shall embrace an area and population with common interests to the maximum degree possible. . ."

The Public Administration Service (PAS) expressed the view that unorganized boroughs had to conform to the borough boundary standards.³ On page 52 of its Local Government Under the Alaska Constitution (January 1959) the PAS notes that "*Returning then, to the question of the proper size and number of the initial unorganized boroughs, it would seem desirable to begin with a small number of very large boroughs. One possibility would be to begin with only four, which might correspond precisely or substantially to the four major senate districts. Since these districts were drawn primarily on the basis of the way in which the State is divided into natural 'socio-economic' areas, with drainage and other geographic factors such as mountain barriers being considered in setting the boundary lines, this division of the State might well provide a logical*

³ The PAS, a non-profit organization, was selected by the Alaska Statehood Committee to provide research and consulting services in conjunction with the efforts to develop Alaska's constitution. (See Alaska's Constitutional Convention, Victor Fisher, pages 18 - 21.) The PAS also provided consulting services to the First Alaska State Legislature in the implementation of Alaska's constitution.

basis for the differential treatment of local affairs which, as already indicated, the borough system permits. If experience showed the need for further differentiation, the large boroughs could be broken down into somewhat smaller ones. It is important to remember that it is always easier to subdivide a political area than it is to combine areas previously subdivided." (emphasis added).

The Executive Director of the Alaska Legislative Council held those same views. In a December 1, 1959 paper entitled Local Government and the State Constitution - Constitutional Intent, the John C. Doyle wrote that, "*Under the terms of the proposed article, all of Alaska would be subdivided into boroughs. Each would cover a geographic area with common economic, social, and political interests. Boundaries are to be established by the state. . . . Three classes of boroughs might be sufficient, but the legislature is not limited to three. . . . The unorganized borough would be the third class borough. . .*"⁴

Vic Fischer states on page 119 of

⁴ The paper was submitted to Representative Peter J. Kalamarides, Chairman of the Alaska Legislative Council with the following statement, "*Attached hereto you will find a report on the local government article of the State Constitution. The report is the one which was submitted by the Committee on Local Government to the Constitutional Convention (1955-56), but it has been revised to reflect the amendments and thinking of the Convention when the proposal was discussed and finally approved on the floor. The Committee's report and comments, and the transcript of the Convention's proceedings were used in preparing this revised report. . .*" At the time the report was submitted, two of the ten members of the Alaska Legislative Council had been delegates to the Constitutional Convention. These were Senator Frank Peratrovich, Vice Chairman of the Council, and Representative Warren A. Taylor.

Alaska's Constitutional Convention (University of Alaska Press 1975) that one of the initial principles set forth by the Convention's Committee on Local Government was that "Provision should be made for subdividing all Alaska into local units (boroughs) based on economic, geographic, social, and political factors; initially, not all need be organized."⁵

Thomas A. Morehouse and Victor Fischer wrote in Borough Government in Alaska under the heading "Organized and Unorganized Boroughs" that, "All of Alaska was to be subdivided into logical borough units. Depending on readiness and capability for government, these would be classified as organized or unorganized boroughs . . ."

Richard W. Garnett, III, wrote in a paper for the Institute of Social, Economic and Government Research that, "The local government article of the state constitution calls for the division of the state into boroughs, organized and unorganized. The language of the article presupposes plural unorganized units.⁶ The specific reference in Section 6 to 'maximum local participation and responsibility' in unorganized boroughs

indicates that manageable units encompassing communities of interest were contemplated for unorganized as well as organized boroughs. It is difficult to believe that the single unorganized borough that now exists complies with the intention expressed in the constitution."

The Local Boundary Commission expressed views consistent with this interpretation during its "Model Borough Boundary Study".⁷ For example, in the LBC's paper announcing the model borough boundary study for the Aleutian/Pribilof Islands Region, the LBC stated, "Clearly, the Unorganized Borough does not meet the requirement of Article X, Section 3 of the Alaska Constitution that, 'each borough embrace an area and population with common interests to the maximum degree possible.'" (August 1991, page A-2)

⁵ Vic Fischer was a Delegate to Alaska's Constitutional Convention and was also a member of the Convention's Committee on Local Government. He is widely regarded as an expert on Alaska's Constitution, particularly the local government article.

⁶ Equalization of Local Government Revenues in Alaska (ISEGR Occasional Papers, January 1973). Richard W. Garnett, III, is a former Assistant Attorney General for the State of Alaska. His remarks may have represented his personal views rather than those of the Department of Law.

⁷ The LBC and its DCRA staff began the Model Boundary study throughout the unorganized borough in mid-1989. The goal of the study was to "identify the best potential boundaries for future boroughs." The project was completed in 1992.

DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

GOLDBELT PLACE
801 WEST 10TH STREET, SUITE 200
JUNEAU, ALASKA 99801-1894

(907) 465-2800
FAX (907) 465-4156

March 28, 1996

The Honorable John Torgerson
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

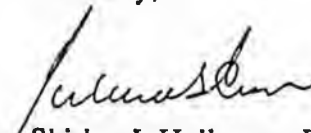
Dear Senator Torgerson:

This purpose of this letter is to correct the record established on SB 280 during the Senate Community and Regional Affairs committee meeting, March 13, 1996. It was estimated \$17.7 million in annual savings would result from the consolidation of approximately 20 school districts as boroughs are incrementally incorporated.

The information compiled by Ms. Deb Davidson, from your office, was researched from the Department of Education's June 1995 publication, "Summary of Alaska's Public School Districts' Report Cards to the Public, School Year 1993-94." The figure Ms. Davidson estimated was totaled by adding the costs of "school administration" listed in an appendix within the report. However, the figure does not reflect what was intended because the report includes in the "administration costs" category, the expenses of site management services, i.e. the costs associated with school principals.

Legislative Audit issued a report a few years ago which estimated cost savings, associated with school district consolidation in the unorganized borough, could range from 5.5% (the percentage referenced from a report conducted by the Institute of Social and Economic Research) to 8.5% (Legislative Audit's percentage associated with merging school districts.)¹ Using DOE FY 94 audit reports, this translates into a potential savings of \$3.36 million, at the low end, or \$5.19 million, the high estimate. These figures more accurately portray the cost savings rather than the \$17.7 million reflected in the committee minutes. School districts would be the recipients of the estimated cost savings, not the formula programs administered through DOE. Restructuring of the administrative unit would be necessary at the local level.

Sincerely,



Shirley J. Holloway, Ph. D.
Commissioner

Attachment

cc: Dr. Jim Elliott, Director of School Finance
Senate Community and Regional Affairs Committee Members

¹ Legislative Audit Report, Potential For Administrative Savings From School District Consolidation. May 11, 1992: p. 17.

REPORT CONCLUSIONS

Using the assumptions, approach, adjustments, and analysis discussed further in this section, we conservatively estimate that \$5.3 million could be saved in district administration costs from the consolidation of schools in the unorganized borough. Our estimates are based on FY 90 expenditures as presented in the audit reports of the various Regional Education Attendance Areas (REAs) and city school districts submitted to the Department of Education. Estimated savings also reflect the assumption that the State's foundation support and local tax effort would remain unchanged.⁸

These estimated savings represent just over 8.5% of the total district administration expenditures statewide. In terms of overall savings to the State the estimated \$5.3 million represents just over 1% of the total FY 90 Foundation Support of \$488 million. In general, our findings appear to be consistent with analysis reported by the Institute of Social and Economic Research (ISER).⁹ In a September 1991 report ISER researchers observed:

Overall, our analysis suggests that if two districts merge to create a new larger district, the combined school district can expect a savings of no more than about 5 percent of operating costs.

District administration savings of 5.5% used as starting place for statewide estimate

As discussed in the Objectives, Scope, and Methodology section, we used the recent formation of the Aleutians East Borough as a case study to evaluate the impact of consolidation on schools. The current superintendent of the new Aleutians East Borough School District (AEBSD) reported that in many respects, the consolidation of schools involved an optimum situation. The two major schools joining the borough district were previously city school districts, with relatively "lean" district administration costs.¹⁰ Compared to

⁸Under the assumption used in the estimates, model boroughs consisting entirely of REAs (such as the Delta/Greely, Alaska Gateway, and Copper River model borough) would not necessarily have any local taxing authority or be required to make a local contribution for school operations. Similarly, model boroughs made up entirely of incorporated communities (such as the Wrangell/Petersburg model borough) or by a combination of incorporated communities and REAs (such as the Calista model borough) would have the same taxing authority currently in place.

⁹ISER released a report in September 1991, funded by the Legislative Budget and Audit Committee entitled *Education Equity and Taxpayer Equity: A Review of the Alaska Public School Foundation Funding Program*. The report examined in great detail the recent trends in public school funding and spending for all three types of school districts operating in the State.

¹⁰For FY 90, when measured on per ADM basis, district administration expenditures for city school districts in unorganized boroughs were about half of that for REAs. An informed observer felt that this reflected the added accountability for city school districts, brought on by the required local tax effort.

REAs, city school districts generally incur less district administrative cost on a per student basis.¹¹

Almost \$5 million of the \$5.3 million estimated savings are based on comparisons

Each projected consolidation involves a different combination of REAs and city school districts. After calculating a 5.5% savings for projected consolidated districts, we also compared the projected average daily membership (ADM) (based on FY 90 reported figures) of the new district to ADM of existing districts. When we identified existing districts with roughly the same ADM, we then compared the projected administration costs of the district with the actual FY 90 costs for the comparable district. This comparison allowed us to assess the reasonableness of our estimated administrative cost savings.

Each projected hypothetical district involves a differing mixture of REAs and city school districts. Depending on the "mix" of districts in the district, the amount of administrative savings that may be possible fluctuates significantly. As reflected in the Schedule of Estimates beginning on page 24 the major part of the \$5.3 million in estimated savings are based on comparisons. As set out in the three following paragraphs, the comparisons in administrative costs of the three new "consolidated" districts and existing districts yielded more than 90% of the estimated savings. This illustrates the limitation of trying to extrapolate the experience of AEBSD on a statewide basis, although the final figure does appear to be consistent with other estimates.

Comparison method produced large projected savings for three new consolidated districts

The Calista Model Borough involves the most extensive, projected consolidation of current REAs and city school districts currently operating in the unorganized borough. Based on FY 90 figures, this new large model borough would have an ADM of more than 6,200. Based on FY 90 enrollment figures, this would make the Calista Borough the fifth largest district in the State, larger than the Juneau School District. The Fairbanks North Star Borough School District has administration expenses of \$5.5 million with more than twice the enrollment. Another comparison is provided by the North Slope Borough which in FY 90 had \$4.6 million in district administration expenses for an enrollment of less than 1,400. Based on these comparisons we conservatively estimated that district administration costs for the new borough would probably not exceed more than \$5 million. Using such a "ceiling" we projected savings of more than \$3.3 million for the schools covered in the projected new borough consolidation.

¹¹Based on FY 90 audited expenditures. REAs spent an average of \$1,400 in district administration per enrolled full-time student (technically referred to as average daily membership or ADM) while city school districts spent on average, just over \$1,000 per ADM. City school districts such as Petersburg and Wrangell with the relatively homogeneous and centrally located population had FY 90 administrative costs of \$265 per ADM and \$550 per ADM, respectively.

¹ Legislative Audit Report, Potential For Administrative Savings From School District Consolidation. May 11, 1991

Ranch House Lodge
Mile 173 Glenn Highway
HC-01 Box 1980
Glennallen, AK 99588

4-20-96

Jeanette James,

In regard to SB 280: -

I am a small business man here in
Glennallen. I see no need for a forced
borough being put upon rural residents.
We have only very limited services in
this area. If a borough ~~tax~~ were
initiated, ~~it~~ it would probably be designed
after a Metropolitan area plan. We would be
paying for all of the services that a Metro
area receives, and you can bet we would never
have any more services than we have now.
Thank you ahead for a NO vote on this matter!!

Sincerely,
Burt Ward

Burt Ward
HC-01 Box 1980
Mile 173 Glenn Highway
Glennallen, AK 99588

2 Update #1

Stayed 907 883 4601
G Lincoln 465-2652

APRIL 21, 1996

TOK AREA CS FOR HB 280 (fin)
LEGISLATIVE ACTION COMMITTEE
BOX 192
TOK, ALASKA 99780

FAX # (907) 883-4601

FAX TO: 465-2381
CHAIRMAN JEANETTE JAMES
HOUSE STATE AFFAIRS COMMITTEE
ROOM 102
CAPITAL BUILDING
JUNEAU, ALASKA

DEAR CHAIRMAN JAMES:

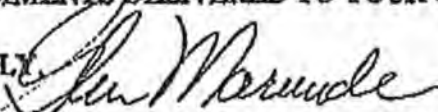
I HEREBY REQUEST THAT YOU RESCHEDULE YOUR COMMITTEE HEARINGS ON CS FOR S. B. # 280 FOR A LATER DATE.

THIS REQUEST STEMS FROM A MEETING HELD LAST NIGHT AT THE TOK CIVIC CENTER. THE MEETING WAS ATTENDED BY APPROXIMATELY 250 TOK AREA CITIZENS WHO WERE MADE AWARE OF THE SUBSTANCE OF SB280 FOR THE FIRST TIME. A REPRESENTATIVE FROM THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS WAS PRESENT TO HELP EXPLAIN THE BILL AND ITS AFFECT ON THE UNORGANIZED BOROUGH. WE WERE SURPRISED AT HOW FAST THIS BILL MOVED THRU THE SENATE AND IS NOW SCHEDULED FOR A HEARING IN YOUR COMMITTEE ON TUESDAY, APRIL 23RD.

I AM SURE THAT THE MEMBERS OF THE HOUSE STATE AFFAIRS COMMITTEE WOULD APPRECIATE THE THOUGHTFUL AND IMPORTANT COMMENTS AND OPINIONS OF THE PEOPLE WHO LIVE IN AN AREA MOST AFFECTED BY THIS BILL. BEFORE A COMMITTEE VOTE IS TAKEN.

WE ARE WORKING AS FAST AS POSSIBLE TO GET ADDITIONAL INFORMATION WE NEED TO FINALIZE OUR CITIZENS COMMENTS. BUT WE ONLY BECAME AWARE OF WHAT THIS BILL MEANS FOR US DURING THE MEETING SATURDAY EVENING. TODAY IS SUNDAY, LEAVING ONLY ONE DAY TO GET OUR COMMENTS DELIVERED TO YOUR COMMITTEE BY TUESDAY.

SINCERELY



GLEN MARUNDE, SB 280 LEGISLATIVE ACTION COMMITTEE



ADMINISTRATIVE & SUPPORT OFFICES
P.O. BOX 80210
4762 OLD AIRPORT WAY
FAIRBANKS, AK 99708

Glenn R. Olson
Superintendent

76432,2450@compuserve.com
(907) 474-9400
Fax 474-0657

April 17, 1996

Representative Jeannette James
State Capitol
Juneau, Alaska 99708

Dear Representative James:

Please do not support the formation of mandatory boroughs (SB 280) in rural Alaska. The current bill if enacted this session does not allow for sufficient analysis of the educational impact on Alaska's school children nor of its economic effect on the citizens and government of Alaska.

The 1992 Audit Report entitled, *Potential for Administrative Savings from School District Consolidation*, conducted by the Division of Legislative Audit points to a litany of reasons why mandatory borough formation is not in the best interests of Alaskans. Among the audits findings were:

- *The state general fund savings generated by consolidation would be relatively small. . .the relatively modest projected savings generated by consolidation would not appear to be enough to warrant extensive revamping of the state's existing education structure.*
- *Further, it is unclear to us. . .how a major consolidation of schools on a statewide basis is necessarily related to improved school performance.*
- *We suggest that a more definitive case for improvement in school performance must be made prior to undertaking any major school consolidation solely for that purpose.*

In comparing city and rural school district administrative costs, the auditors did not examine the school district administrative costs of city and/or borough school districts which are covered either wholly or in part by the city or borough government (e.g., computing services, clerical support, fiscal management, and facility, student and employee insurance). In most if not all city/borough school districts, administrative functions which REAAs must provide and pay for are handled and paid for by the city or borough government. Also not considered by the auditors was the vast expanse of REAAs and how this alone increases administrative costs in REAAs.

As for the claim that rural Alaskans don't contribute their fair share to the funding of schools, please keep in mind two facts:

- 1) The state withholds 90% of eligible impact aid money from REAAs. This is money generated in lieu of local property tax and is local support for schools! It is also a higher per student contribution to schools than that provided by most if not all urban property taxpayers. Furthermore, increasing the deduct simply harms the poorest children in the state.
- 2) *The wealth of Alaska is derived from rural Alaska. There are no oil wells in Anchorage or Fairbanks.*

I implore you to stop this bill from being passed into law. Before you dismantle Alaska's present educational system, please take the time to study and understand the total impact on the children and economy of our great state.

As Americans, I ask that you support the premise upon which our school system is based -- local control of schools. To again form enormous school districts in Alaska with only token local control is a step backward. This was tried before and proven a dramatic failure. While today's rural school districts aren't perfect, they are a vast improvement over yesterday's bureaucratic system.

What will be the cost to all Alaskans be if boroughs are mandated which do not have the wealth necessary to support themselves? Rural Alaskans predominantly live a subsistence lifestyle. Where are they to come up with the 6 mils to support a borough government? Is a system of bankrupt boroughs really in the best interest of all Alaskans? What is the overall cost to the state if mandatory boroughs are formed and the state loses revenue it currently receives? What is the impact of mandatory borough formation on Alaska's children and Alaska's future?

Please take the time to answer all the myriad of questions surrounding the formation of mandatory boroughs before acting. To act in haste is not in the interest of anyone's constituents, be they urban or rural.

Thank you for your thoughtful consideration.

Sincerely,



Glenn R. Olson, Superintendent

cc: Governor Tony Knowles
Senator Georgianna Lincoln
Representative Irene Nicholia
YKSD Regional School Board Members
YKSD Community School Committee Members
YKSD Community Mayors
YKSD Village Chiefs
YKSD Principals

FAX
445 - 2278
2387

RECEIVED BY
APR 11 1995
Rep. Jeannette James

PO Box 228
Healy, Alaska 99743
April 1, 1996

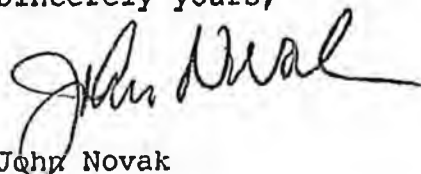
Dear Representative James:

While I am ~~thinking about legislation~~, I wanted to let you know that I am strongly in favor of SB 280 relating to mandatory Borough formation. I hope that this gets some attention in the House soon. The approach seems reasonable and while I am not convinced a great deal of money would be saved, I believe the perception would be that that would happen. It makes sense to have more areas of the state contributing to local needs.

For what it's worth, I also think that taxing tobacco would result in fewer kids smoking. I like your idea of dedicating the tax revenues for youth related expenditures. There already is a mechanism in place by which the legislature annually appropriates some tobacco tax revenues for school maintenance and construction. We would welcome more dollars in that appropriation...

We appreciate your efforts in Juneau.

Sincerely yours,



John Novak

April 16, 1996

Dear Rep. James,

I am writing in opposition to Senate Bill 280 - Mandatory Borough.

Please stop and think before you vote for this poorly thought out bill. There is no provision for collection of the taxes, how many people will be needed to do surveys of taxable assets, how many people can actually be taxed if they are elderly, live on welfare or are below the level of taxable income (many residents in Prince William Sound - excluding Cordova & Valdez fall into this category and what are the projected administrative costs to name a few weaknesses.

I keep hearing about equal pay for education. My son will be entering his 11th yr in Chugach R.E.A. We have done basic education with no phys ed, no sports trips, no music programs and after just a few (average 4) physical contacts with district ~~rep~~ each year except when special grants (not funded by the state) have provided a few extras. We have no after school programs. Yes, we chose to live

Kenny Cove, Box BSW
Cordova, AK. 99574
April 16, 1996

Dear Representative James

As a registered Republican, I can't understand Republican Senators who advocate less intrusion by government at the same time willing to impose a bureaucracy (borough cracy) on large geographic areas without a prior approval or even a proper input of those affected. S.B. 280 was put on a fast (unthinking) track.

Let's be honest. Have there been any real good surveys to determine how much revenue could be generated from the rural areas. In my area, I think mandatory borough taxation won't even come close to funding education at a 4-6 mill rate if property is appraised at a fair value (for taxation purposes) - as I assume urban property is. If the appraisal is unrealistic, the state still wouldn't get sufficient monies (and foreclosures).

Both urban and rural have benefitted from the oil windfall and who's to judge who got the greater benefit? I believe I pay my "fair" share in all taxes including matching federal funds for roads I don't use.

Consider this as an alternate source of revenue to support basic public education. Deduct sufficient money from the Permanent Fund yearly allotment before making out the checks; A "head" tax like it used to be and should be. Those who wish tennis courts and overbuilt schools - let them pay in addition. My son's gym is the great outdoors Shine or Rain.

Please reply.

Sincerely,
Bob Evanson

House State Affairs -----

POMS on SB 280 - 367 opposed - 0 supports

Poms Windows Application - Poms
File Edit Help
04/22/96 MEMBER OFFICE JAM James
09:12:25

MESSAGE SYSTEM

CONSTITUENCY: Both Constituents And Non Constituents
ZIP CODE RANGE: 000 thru 999
MESSAGE STATUS: All Of Above
DATE RANGE: 010196 thru 041996
BILL#: SB 280 Support
SUBJECT:

EXTRACTING OPTIONS

FILE CONTENT: Word Processing Message Format

- View Mes
- Extract Me
- Count
- Os

MSG: 0 Messages Selected

MESSAGE SYSTEM

CONSTITUENCY:	Both Constituents And Non Constituents	
ZIP CODE RANGE:	000	thru 999
MESSAGE STATUS:	All Of Above	
DATE RANGE:	010196	thru 041996
BILL#:	SB 280	Oppose
SUBJECT:		

EXTRACTING OPTIONS

FILE CONTENT:	Word Processing Message Format
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- View Mes
- Extract Me
- Count
- On

MSG: 367 Messages Selected



INCORPORATION?

.. On Friday of last week Senate Bill 280, sponsored by Senator John Torgeson, a Republican from Kaslof, successfully passed in the Senate. This week, the bill will move to the House of Representatives.

Senator Torgeson says that the "main goal" of Bill 280 is to consolidate the state's 54 school districts into 34 districts. According to Senator Randy Phillips, a Republican from Eagle River, a byproduct of this consolidation will be "more careful" budgeting by bush communities. Since neither of these men represent a bush community, their critics view the bill as a thinly disguised attack on Alaska's rural schools. Certainly, both Torgeson and Phillips seem unaware of the high unemployment rates that exist in the bush. In addition, many of the unincorporated areas have no tax base.

Representative Irene Nicholia, a Democrat from Tanana says that rural districts have already cut expenses by sharing resources. She does not see this bill as providing additional savings for the state. And, in light of the fact that 85% of the state's income is derived from taxes on oil, minerals and timber taken from bush Alaska, Torgeson's bill adds insult to injury.

To implement SB280, unincorporated regions of the state will be forced form a borough or join with a preexisting borough. The penalty for failure to comply with this legislative mandate will be a 6 mill property tax. The tax is expected to provide partial support of the school systems.

The Denali Borough, incorporating the communities of Cantwell, McKinley Park, Healy, Ferry, and Anderson was formed nearly a decade ago. However, Nenana, a "home rule" city, has remained independent all these years. Last Thursday, April 11, a joint meeting of the Nenana School Board and the Nenana City Council was held to discuss this very issue.

Nenana currently levys a tax of 8 mills. This pays for their school, community library, road maintenance, water and sewage systems, fire and police services, and a "skeleton" city government. If Nenana were to join with the Denali Borough, their taxation would be significantly reduced. This reason is the best

argument for joining the Borough. However, some people fear the loss of local control of the school. Other people argue that it would better to have two people on the Denali School Board who are really interested in representing Nenana, than to have four unmotivated local people serving on Nenana's School Board. Then there are those fiercely independent persons who live along the Parks Highway who prefer no government control whatsoever. No doubt they will react strongly to the thought of being absorbed by a borough.

If SB280 passes through the House of Representatives, Nenana residents who oppose consolidation will have no choice. When trying to determine the bill's chances, one must consider that the House is controlled by a Republican majority. However, a lot seems to depend upon which committee receives the bill. Representative Nicholia has already stated her intention to oppose the bill should it be referred to the Community and Regional Affairs Committee.

Should you wish to contact Representative Jeannette James and express your opinion on the matter, you are invited to call 1-800-565-3743.



New Park Development?

This evening, Thursday, April 18, the National Park Service, in cooperation with the South Side Denali Cooperative Planning Team will present a plan for improving access, and recreational opportunities in the south Denali region. The meeting will begin at 6:30 p.m. in Cantwell's Community Hall.

On Sunday, Daily News-Miner columnist Fred Pratt lambasted this Tokositna plan as a "mega-tourism development" initiated by the federal government to solve a federal problem. Pratt says NPS's "main justification for the...development is to take pressure off the Denali National Park road." However, Pratt explains, NPS's plan "can't co-exist with the type of outdoor recreation favored by Alaskans'.

Public comments on the plan and environmental impact statement are being sought through May 21. Comments may be sent to Denali National Park, P.O. Box 9, Denali Park, AK 99755. For a copy of the plan contact Nancy Swanton of NPS at (907)257-2651.

AMENDMENT #1

OFFERED IN THE HOUSE

TO: CSSB 280 (FIN) am

BY REP. IVAN

1 Page 3, Line 18, following "(c)":

2 Insert "A borough incorporation proposal submitted under (b) of this
3 section to the Local Boundary Commission must include an assessment of
4 the taxable property in the region proposed for incorporation prepared by the
5 state assessor based on its full and true value as of January 1 of the year the
6 proposal is submitted."

AMENDMENT #2

OFFERED IN THE HOUSE

TO: CSSB 280 (FIN) am

BY REP. IVAN

- 1 Page 1, Line 5 through Page 2, Line 3:
- 2 Delete all material.
- 3 Renumber sections accordingly.

AMENDMENT #3

OFFERED IN THE HOUSE

TO: CSSB 280 (FIN) am

BY REP. IVAN

1 Page 4, Line 8, following "tax of":

2 Delete "six"

3 Insert "no more than 4.2"

AMENDMENT #4

OFFERED IN THE HOUSE

TO: CSSB 280 (FIN) am

BY REP. IVAN

1 Page 3, Line 5:

2 Insert "(6) determine the feasibility of forming a borough by
3 conducting feasibility studies for each proposed borough using private
4 contractors to conduct the studies.

AMENDMENT#5

OFFERED IN THE HOUSE

TO: CSSB 280 (FIN) am

BY REP. IVAN

1 Page 2, Line 26, after "least":

2 Delete "500"

3 Insert "300"

AMENDMENT #6

OFFERED IN THE HOUSE

TO: CSSB 280 (FIN) am

BY REP. IVAN

1 Page 3, Line 5, following "January 1,":

2 Delete "1997"

3 Insert "2007"

4 Page 3, Line 10, following "July 1,":

5 Delete "1997"

6 Insert "2007"

7 Page 3, Line 12, following "July 1,":

8 Delete "1998"

9 Insert "2008"

10 Page 3, Line 14, following "July 1,":

11 Delete "1999"

12 Insert "2009"

13 Page 3, Line 16, following "July 1,":

14 Delete "2000"

15 Insert "2010"

16 Page 4, Line 25, following "January 1,":

17 Delete "1993"

18 Insert "2008"

TONY KNOWLES, GOVERNOR

DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

GOLDBELT PLACE
801 WEST 10TH STREET, SUITE 200
JUNEAU, ALASKA 99801-1894

(907) 465-2800
FAX (907) 465-4156

March 28, 1996

The Honorable John Torgerson
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

SB 280

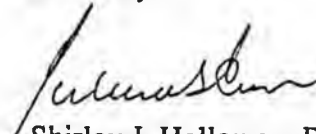
Dear Senator Torgerson:

This purpose of this letter is to correct the record established on SB 280 during the Senate Community and Regional Affairs committee meeting, March 13, 1996. It was estimated \$17.7 million in annual savings would result from the consolidation of approximately 20 school districts as boroughs are incrementally incorporated.

The information compiled by Ms. Deb Davidson, from your office, was researched from the Department of Education's June 1995 publication, "Summary of Alaska's Public School Districts' Report Cards to the Public, School Year 1993-94." The figure Ms. Davidson estimated was totaled by adding the costs of "school administration" listed in an appendix within the report. However, the figure does not reflect what was intended because the report includes in the "administration costs" category, the expenses of site management services, i.e. the costs associated with school principals.

Legislative Audit issued a report a few years ago which estimated cost savings, associated with school district consolidation in the unorganized borough, could range from 5.5% (the percentage referenced from a report conducted by the Institute of Social and Economic Research) to 8.5% (Legislative Audit's percentage associated with merging school districts.)¹ Using DOE FY 94 audit reports, this translates into a potential savings of \$3.36 million, at the low end, or \$5.19 million, the high estimate. These figures more accurately portray the cost savings rather than the \$17.7 million reflected in the committee minutes. School districts would be the recipients of the estimated cost savings, not the formula programs administered through DOE. Restructuring of the administrative unit would be necessary at the local level.

Sincerely,



Shirley J. Holloway, Ph. D.
Commissioner

Attachment

cc: Dr. Jim Elliott, Director of School Finance
Senate Community and Regional Affairs Committee Members

¹ Legislative Audit Report, Potential For Administrative Savings From School District Consolidation. May 11, 1992: p. 17.

REPORT CONCLUSIONS

Using the assumptions, approach, adjustments, and analysis discussed further in this section, we conservatively estimate that \$5.3 million could be saved in district administration costs from the consolidation of schools in the unorganized borough. Our estimates are based on FY 90 expenditures as presented in the audit reports of the various Regional Education Attendance Areas (REAs) and city school districts submitted to the Department of Education. Estimated savings also reflect the assumption that the State's foundation support and local tax effort would remain unchanged.⁸

These estimated savings represent just over 8.5% of the total district administration expenditures statewide. In terms of overall savings to the State the estimated \$5.3 million represents just over 1% of the total FY 90 Foundation Support of \$488 million. In general, our findings appear to be consistent with analysis reported by the Institute of Social and Economic Research (ISER).⁹ In a September 1991 report ISER researchers observed:

Overall, our analysis suggests that if two districts merge to create a new larger district, the combined school district can expect a savings of no more than about 5 percent of operating costs.

District administration savings of 5.5% used as starting place for statewide estimate

As discussed in the Objectives, Scope, and Methodology section, we used the recent formation of the Aleutians East Borough as a case study to evaluate the impact of consolidation on schools. The current superintendent of the new Aleutians East Borough School District (AEBSD) reported that in many respects, the consolidation of schools involved an optimum situation. The two major schools joining the borough district were previously city school districts, with relatively "lean" district administration costs.¹⁰ Compared to

⁸Under the assumption used in the estimates, model boroughs consisting entirely of REAs (such as the Delta/Greely, Alaska Gateway, and Copper River model borough) would not necessarily have any local taxing authority or be required to make a local contribution for school operations. Similarly, model boroughs made up entirely of incorporated communities (such as the Wrangell/Petersburg model borough) or by a combination of incorporated communities and REAs (such as the Calista model borough) would have the same taxing authority currently in place.

⁹ISER released a report in September 1991, funded by the Legislative Budget and Audit Committee entitled *Education Equity and Taxpayer Equity: A Review of the Alaska Public School Foundation Funding Program*. The report examined in great detail the recent trends in public school funding and spending for all three types of school districts operating in the State.

¹⁰For FY 90, when measured on per ADM basis, district administration expenditures for city school districts in unorganized boroughs were about half of that for REAs. An informed observer felt that this reflected the added accountability for city school districts, brought on by the required local tax effort.

¹ Legislative Audit Report, Potential For Administrative Savings From School District Consolidation, May 11, 1992: p. 17.

REAs, city school districts generally incur less district administrative cost on a per student basis.¹¹

Almost \$5 million of the \$5.3 million estimated savings are based on comparisons

Each projected consolidation involves a different combination of REAs and city school districts. After calculating a 5.5% savings for projected consolidated districts, we also compared the projected average daily membership (ADM) (based on FY 90 reported figures) of the new district to ADM of existing districts. When we identified existing districts with roughly the same ADM, we then compared the projected administration costs of the district with the actual FY 90 costs for the comparable district. This comparison allowed us to assess the reasonableness of our estimated administrative cost savings.

Each projected hypothetical district involves a differing mixture of REAs and city school districts. Depending on the "mix" of districts in the district, the amount of administrative savings that may be possible fluctuates significantly. As reflected in the Schedule of Estimates beginning on page 24 the major part of the \$5.3 million in estimated savings are based on comparisons. As set out in the three following paragraphs, the comparisons in administrative costs of the three new "consolidated" districts and existing districts yielded more than 90% of the estimated savings. This illustrates the limitation of trying to extrapolate the experience of AEBSB on a statewide basis, although the final figure does appear to be consistent with other estimates.

Comparison method produced large projected savings for three new consolidated districts

The Calista Model Borough involves the most extensive, projected consolidation of current REAs and city school districts currently operating in the unorganized borough. Based on FY 90 figures, this new large model borough would have an ADM of more than 6,200. Based on FY 90 enrollment figures, this would make the Calista Borough the fifth largest district in the State, larger than the Juneau School District. The Fairbanks North Star Borough School District has administration expenses of \$5.5 million with more than twice the enrollment. Another comparison is provided by the North Slope Borough which in FY 90 had \$4.6 million in district administration expenses for an enrollment of less than 1,400. Based on these comparisons we conservatively estimated that district administration costs for the new borough would probably not exceed more than \$5 million. Using such a "ceiling" we projected savings of more than \$3.3 million for the schools covered in the projected new borough consolidation.

¹¹Based on FY 90 audited expenditures. REAs spent an average of \$1,400 in district administration per enrolled full-time student (technically referred to as average daily membership or ADM) while city school districts spent on average, just over \$1,000 per ADM. City school districts such as Petersburg and Wrangell with the relatively homogeneous and centrally located population had FY 90 administrative costs of \$265 per ADM and \$550 per ADM, respectively.

¹ Legislative Audit Report, Potential For Administrative Savings From School District Consolidation. May 11, 1992

STATE OF ALASKA

DEPARTMENT OF EDUCATION

DIVISION OF SCHOOL FINANCE

GOLDBELT PLACE
801 WEST 10TH STREET, SUITE 200
JUNEAU, ALASKA 99801-1894
(907) 465-8685
FAX (907) 463-5279

March 26, 1996

The Honorable John Torgerson
State Capitol, Room 427
Juneau, Alaska 99801-1182

Dear Senator Torgerson:

The following information has been requested by Deb Davidson and is related to CSSB280, which proposes the mandatory incorporation of certain boroughs in the unorganized borough. Based on the schedule of borough incorporation outlined in section 2 of CSSB280 and the phase-in provisions of AS 29.05.130 and AS 14.17.025(f), all boroughs will be subject to the four mill required local effort of AS 14.17.025 by fiscal year 2007.

Enclosed are the spreadsheets that compare the foundation allocation under the existing program and the allocation proposed under CSSB280 at full implementation in fiscal year 2007.

Please let me know if you have questions regarding the enclosed spreadsheets.

Sincerely,



Eddy Jeans
Project Assistant

Enclosures

cc: Rick Cross, Deputy Commissioner, DOE
Jim Elliott, Acting Director, School Finance, DOE
Karen Rehfeld, Director, Administrative Services, DOE
Kimberly Homme, Special Assistant, DOE

ALASKA DEPARTMENT OF EDUCATION
FY96 FOUNDATION PROGRAM ENTITLEMENTS

Based on first student count period.

	BASIC NEED \$61,000	REQUIRED LOCAL	ELIGIBLE PL81-874	PL81-874 PERCENT	DEDUCTIBLE PL81-874 @ 90%	FY96 FOUNDATION STATE AID	Existing 1994 FULL VALUE DETERMINATION
ADAK	0	0	\$0	100.00%	\$0	\$0	
ALASKA GATEWAY	5,494,880	0	431,782	100.00%	388,604	5,106,276	
ALEUTIAN REGION	610,610	0	65,498	100.00%	58,948	551,662	
ALEUTIANS EAST	4,268,170	356,423	745,077	37.72%	252,932	3,658,815	89,105,700
ANCHORAGE	234,908,560	49,736,435	9,630,158	64.12%	5,557,372	179,614,753	12,434,108,720
ANNETTE ISLANDS	2,780,990	0	1,096,313	100.00%	986,682	1,794,308	
BERING STRAIT	19,471,200	0	4,311,615	100.00%	3,880,454	15,590,746	
BRISTOL BAY	2,637,030	707,169	333,228	59.35%	177,994	1,751,867	176,792,300
CHATHAM	3,274,480	0	576,956	100.00%	519,260	2,755,220	
CHUGACH	1,853,180	0	170,447	100.00%	153,402	1,699,778	
COPPER RIVER	5,604,070	0	113,349	100.00%	102,014	5,502,056	
CORDOVA	3,294,610	741,350	25,652	83.06%	19,176	2,534,084	185,337,580
CRAIG	2,646,180	254,661	56,010	77.72%	39,178	2,352,341	63,665,300
DELTA/GREELY	5,988,980	0	862,741	100.00%	776,467	5,212,513	
DENALI	3,367,200	301,901	35,413	100.00%	31,872	3,033,427	75,475,300
DILLINGHAM	3,931,450	524,049	569,637	63.95%	327,855	3,079,546	131,012,300
FAIRBANKS	82,993,550	13,811,672	7,901,408	51.87%	3,688,614	65,493,264	3,452,917,970
GALENA	1,601,250	79,335	353,317	29.96%	95,268	1,426,647	19,833,700
HAINES	2,812,100	522,856	21,222	50.48%	9,642	2,279,602	130,714,100
HOONAH	2,179,530	96,718	571,277	16.64%	85,554	1,997,258	24,179,400
HYDABURG	1,034,560	23,129	42,204	13.45%	5,109	1,006,322	5,782,300
IDITAROD	5,843,190	0	635,009	100.00%	571,508	5,271,682	
JUNEAU	29,272,070	7,063,936	77,892	52.09%	36,517	22,171,617	1,765,984,100
KAKE	1,454,850	69,261	334,689	22.13%	66,660	1,318,929	17,315,300
KASHUNAMIUT	2,208,200	0	460,927	100.00%	414,834	1,793,366	
KENAI	58,411,770	14,163,047	94,733	51.61%	44,003	44,204,720	3,540,761,750
KETCHIKAN	13,865,910	3,942,168	28,576	58.84%	15,133	9,908,609	985,541,900
KLAWOCK	1,715,930	59,329	373,452	17.21%	57,844	1,598,757	14,832,300
KODIAK	17,883,370	3,435,410	1,498,140	77.00%	1,038,211	13,409,749	858,852,600
KUSPUK	5,654,090	0	717,779	100.00%	646,001	5,008,089	
LAKE AND PENINSULA	7,259,000	273,430	983,338	16.85%	149,123	6,836,447	68,357,600
LOWER KUSKOKWIM	40,915,140	0	5,077,348	100.00%	4,569,613	36,345,527	
LOWER YUKON	16,873,820	0	4,444,484	100.00%	4,000,036	12,873,784	
MAT-SU	65,079,680	8,602,703	45,126	47.44%	19,267	56,457,710	2,150,675,790
NENANA	1,543,910	65,098	6,069	89.06%	4,865	1,473,947	16,274,400
NOME	5,379,590	531,875	82,694	44.13%	32,844	4,814,871	132,968,700
NORTH SLOPE	16,401,070	5,489,726	3,357,524	20.08%	606,772	10,304,572	12,291,192,390
NORTHWEST ARCTIC	18,654,410	1,168,962	2,468,616	46.11%	1,024,451	16,460,997	292,240,600
PELICAN	652,090	55,876	0	91.79%	0	596,214	13,968,900
PETERSBURG	3,965,000	808,223	25,978	47.53%	11,113	3,145,664	202,055,700
PRIBILOF	2,397,910	0	352,686	100.00%	317,417	2,080,493	
SITKA	9,035,930	2,113,115	175,979	50.15%	79,428	6,843,387	528,278,800
SKAGWAY	1,072,990	360,794	0	64.52%	0	712,196	90,198,400
SOUTHEAST	4,391,390	0	455,647	100.00%	410,082	3,981,308	
SOUTHWEST	7,465,790	0	1,045,337	100.00%	940,803	6,524,987	
ST. MARY'S	1,435,940	18,134	125,845	36.08%	40,864	1,376,942	4,533,500
TANANA	1,198,040	44,931	174,471	35.10%	55,115	1,097,994	11,232,800
UNALASKA	2,623,000	921,680	9,708	58.78%	5,136	1,696,184	358,385,300
VALDEZ	5,224,040	1,789,344	55,397	46.28%	23,074	3,411,622	1,052,513,810
WRANGELL	3,137,230	592,522	5,799	49.20%	2,568	2,542,140	148,130,400
YAKUTAT	1,443,870	111,204	85,961	32.35%	25,028	1,307,638	27,801,100
YUKON FLATS	6,551,400	0	725,222	100.00%	652,700	5,898,700	
YUKON/KOYUKUK	8,126,420	0	956,026	100.00%	860,423	7,265,997	
YUPIIT	4,844,010	0	964,975	100.00%	868,478	3,975,532	
TOTALS	\$762,733,630	\$118,836,466	\$53,758,711		\$34,746,308	\$609,150,856	\$41,361,020,810

ALASKA DEPARTMENT OF EDUCATION
 FY96 FOUNDATION PROGRAM
 Mandatory incorporation of certain boroughs - CSSB280

3/26/96 File:96FND280.XLS

	BASIC NEED \$61,000	REQUIRED LOCAL	ELIGIBLE PL81-874	PL81-874 PERCENT	DEDUCTIBLE PL81-874 @ 90%	FY96 FOUNDATION STATE AID	Estimated 1994 FULL VALUE DETERMINATION
ADAK	0	\$0	\$0	100.00%	\$0	\$0	
ALEUTIAN WEST	3,316,570	943,989	75,206	100.00%	67,685	2,304,896	361,535,300
ALEUTIANS EAST	4,266,170	356,423	745,057	37.72%	252,932	3,658,815	89,105,700
ANCHORAGE	234,908,560	49,736,435	9,630,158	64.12%	5,557,372	179,614,753	12,434,108,720
ANNETTE ISLANDS	2,780,990	0	1,096,313	100.00%	986,682	1,794,308	
BERING STRAIT /1	25,051,480	940,561	4,394,309	27.51%	1,087,987	23,022,932	235,140,200
BRISTOL BAY	2,637,030	707,169	333,228	59.35%	177,994	1,751,867	176,792,300
CHATHAM /1	4,729,940	137,961	911,645	27.51%	225,714	4,366,265	34,490,300
COPPER RIVER	5,604,070	1,288,936	113,349	100.00%	102,014	4,213,120	668,865,000
DENALI	4,949,540	366,999	41,482	100.00%	37,334	4,545,207	91,749,700
DILLINGHAM /1	11,521,680	684,481	1,614,974	27.51%	399,851	10,437,348	171,120,300
FAIRBANKS	82,993,550	14,300,072	7,901,408	53.70%	3,818,750	64,874,728	3,575,017,970
GLACIER BAY /1	2,831,620	226,393	571,277	27.51%	141,442	2,463,785	56,598,300
HAINES/SKAGWAY	3,884,480	894,750	21,222	100.00%	19,100	2,970,630	223,687,500
IDITAROD /1	5,843,800	122,400	635,009	27.51%	157,222	5,564,178	30,600,000
JUNEAU	29,272,070	7,070,536	77,892	52.14%	36,552	22,164,982	1,767,634,100
KENAI	58,411,770	14,163,047	94,733	51.61%	44,003	44,204,720	3,540,761,750
KETCHIKAN	13,865,910	3,954,768	28,576	59.03%	15,182	9,895,960	988,691,900
KODIAK	17,883,370	3,435,410	1,498,140	77.00%	1,038,211	13,409,749	858,852,600
KUSPUK /1	5,654,090	127,800	717,779	27.51%	177,715	5,348,575	31,950,000
LAKE AND PENN.	7,259,000	273,430	983,338	16.85%	149,123	6,836,447	68,357,600
LOWER KUSKOKWIM /1	45,793,310	1,357,787	6,042,323	27.51%	1,496,019	42,939,504	339,446,800
LOWER YUKON /1	20,606,410	376,324	5,031,256	27.51%	1,245,689	18,984,397	94,081,000
MAT-SU	65,079,680	9,694,707	45,126	53.46%	21,712	55,363,261	2,423,676,790
NORTH SLOPE	16,401,070	5,489,726	3,357,524	20.08%	606,772	10,304,572	12,291,192,390
NORTHWEST ARCTIC	18,654,410	708,838	2,468,616	27.96%	621,203	17,324,369	177,209,500
PRIBILOF /2	2,397,910	238,102	352,686	50.00%	158,709	2,001,099	59,525,400
PRINCE WILLIAM SOUND /2	10,601,800	3,560,540	251,496	50.00%	113,173	6,928,087	1,272,675,200
SITKA	9,035,930	2,113,115	175,979	59.64%	94,458	6,828,357	528,278,800
PRINCE OF WALES /2	9,840,520	555,480	927,313	50.00%	417,291	8,867,749	138,869,900
UPPER TANANA /2	11,638,800	2,216,383	1,294,523	50.00%	582,535	8,839,882	554,095,700
WRANGELL/PETERSBURG	7,102,230	1,400,741	31,777	96.73%	27,664	5,673,822	350,186,100
YAKUTAT	1,443,870	111,204	85,961	32.35%	25,028	1,307,638	27,801,100
YUKON FLATS /2	6,550,180	1,740,300	725,222	50.00%	326,350	4,483,530	435,075,000
YUKON/KOYUKUK /2	11,011,720	2,088,906	1,483,814	50.00%	667,716	8,255,098	522,226,500
TOTALS	\$763,825,530	\$131,383,716	\$53,758,711		\$20,897,184	\$611,544,630	\$44,619,399,420

PL81-874 Percentage

ALEUTIANS EAST	37.72%
LAKE AND PENN.	16.85%
NORTHWEST ARCTIC	27.96%
Average	27.51%
	50.00%

/1

/2

Change in foundation formula funding

	Basic Need	4 Mill Local	Deductible Impact Aid	State Aid	
Kuspuk REAA	5,654,090	0	(646,000)	5,008,090	Increase in State Aid 6.8%
Kuspuk Borough	5,654,090	(127,800)	(177,715)	5,348,575	
Difference	\$0	(\$127,800)	\$468,285	\$340,485	

Change in total revenue

	State Aid	Local Revenue	Impact Aid	Total	
Kuspuk REAA	5,008,090	0	946,230	5,954,320	Increase in Total Revenue 13.5%
Kuspuk Borough	5,348,575	464,558	946,230	6,759,363	
Difference	\$340,485	\$464,558	\$0	\$805,043	

Change in foundation formula funding

	Basic Need	4 Mill Local	Deductible Impact Aid	State Aid	
Pribilof REAA	2,397,910	0	(317,417)	2,080,493	Increase in State Aid -3.8%
Pribilof Borough	2,397,910	(238,102)	(158,709)	2,001,099	
Difference	\$0	(\$238,102)	\$158,708	(\$79,394)	

Change in total revenue

	State Aid	Local Revenue	Impact Aid	Total	
Pribilof REAA	2,080,493	0	455,105	2,535,598	Increase in Total Revenue 15.7%
Pribilof Borough	2,001,099	476,200	455,105	2,932,404	
Difference	(\$79,394)	\$476,200	\$0	\$396,806	

FISCAL NOTE

STATE OF ALASKA

BILL NO. CSSB280 (FIN) am

1996 LEGISLATIVE SESSION

Revision Date: April 22, 1996

Department Affected: Education

Title: "An Act relating to the mandatory incorporation of certain boroughs in the unorganized borough."

BRU: K-12 Support

Component: Foundation Program

Sponsor: Senator Torgerson

Requester: House State Affairs Committee

COMPONENT SERIAL NO. 141

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	2,530.7	41.2
MISCELLANEOUS						
TOTAL OPERATING						

CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	2,530.7	41.2
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CHANGE IN REVENUES						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	-0-	-0-	-0-	-0-	2,530.7	41.2
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ -0-

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

Prepared by: Eddy Jeans

Phone: 465-8685

Division: School Finance

Date: April 22, 1996

Approved by Commissioner: *Richard S. Cross*

Richard S. Cross, Deputy Commissioner

Agency: Education

Date: April 22, 1996

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Fiscal Note Analysis for CSSB280 (FIN) am

AS 29.05.130 allows a newly incorporated municipality to integrate service areas within two years after date of incorporation. Regional education attendance areas are included as service areas according to AS 29.03.020. AS 14.17.025(f) allows the phasing-in of local contributions to schools over a four year period after the newly formed borough operates schools. The phase-in provisions are as follows; the first year is zero, the second year is the equivalent of 2 mills, the third year is the equivalent of 3 mills and forth year is the equivalent of 4 mills. Currently, home rule and first class cities in the unorganized boroughs are required to contribute to schools the equivalent of a four mill tax levy. When a first class city is incorporated into a borough, the city's local share to schools is subsidized with state general fund during the phase-in provisions of AS 14.17.025(f). Based on the schedule of borough incorporation outlined in section 2 of CSSB280 and the phase-in provisions of AS 29.05.130 and AS 14.17.025(f), all boroughs will be subject to the 4 mill required local effort of AS 14.17.025 by fiscal year 2007.

Following is the potential increase in required local effort when all boroughs are fully phased-in and contributing at the 4 mill requirement.

	4 Mill Equivalent	
Existing 1994 Full Values utilized in foundation formula excluding North Slope, Unalaska and Valdez. /1	\$27,658,929,310	\$110,635,717
Proposed 1994 Full Values utilized in foundation formula excluding North Slope, Aleutians West (Unalaska area) and Prince William Sound (Valdez area).	\$30,694,380,530	<u>\$122,777,522</u>
	Difference	\$12,141,805

/1 - North Slope, Unalaska and Valdez full values have been excluded because their required local effort under the foundation program is 35% of basic need of the preceding year.

	A	B	C	D	E	F	G
1	CSSB280 Fiscal Note						
2							
3							
4							
5	Incorporation						
6	Date	FY98	FY99	FY00	FY01	FY02	
7							
8	7/1/98	C & RA	C & RA	ED	2,530.70	(2,460.60)	
9						(4,991.30)	2 mill Eq.
10							
11							
12	7/1/99	N/A	C & RA	C & RA	ED	2,501.80	
13							
14				Total	2,530.70	41.20	
15							
16	KEY						
17	C & RA = AS 29.05.130, Integration of special districts and service areas - within two years after date of incorporation.						
18	ED = AS 14.17.025, Local Contributions - four year phase-in of required local effort, after borough operates schools.						
19	First year is zero, second year equivalent of 2 mills, third year equivalent of 3 mills and fourth year equivalent of 4 mills.						
20							
21							
22							
23							
24							4 Mill Equivalent
25	Existing FY1994 Full Values utilized in foundation formula excluding North Slope, Unalaska and Valdez				\$27,658,929,310	\$110,635,717	
26	Proposed FY1994 Full Values utilized in foundation formula excluding North Slope, Aleutians West and Prince William Sound				\$30,694,380,530	\$122,777,522	
27					Increases in required local effort by the year 2007	\$12,141,805	
28							

To: Eddy Jeans, Department of Education (by fax: 463-5279) [telephone 465-8685]

From: Dan Bockhorst (fax: 269-4539) [telephone 269-4559]

Date: March 5, 1996

Subject: CSSB 280 (C&RA)

For purposes of preparing its fiscal note for the subject legislation, DCRA will assume that incorporation of new boroughs and annexation to existing boroughs and unified municipalities will take effect according to the following schedule:

July 1, 1998

1. Incorporation of Prince William Sound Borough (Chugach REAA, Cordova and Valdez)
2. Incorporation of Copper River Basin Borough (Copper River REAA)
3. Incorporation of Upper Tanana Basin Borough (Alaska Gateway and Delta Greely REAAs)

July 1, 1999

1. Incorporation of Yukon Koyukuk Borough (Yukon Koyukuk REAA, Galena; excludes Nenana)
2. Annexation of Nenana to the Denali Borough
3. Incorporation of Yukon Flats Borough (Yukon Flats REAA, excluding Livengood, Central and Circle Hot Springs)
4. Annexation of Livengood, Central and Circle Hot Springs to the Fairbanks North Star Borough
5. Incorporation of Aleutians-West Borough (Aleutian Region REAA, Unalaska) [note: this would combine two model borough regions into one which appears warranted due to closure of Adak Naval Air Station]
6. Incorporation of Wrangell/Petersburg Borough (Wrangell, Petersburg, Kupreanof) [note: it is possible, indeed likely that DCRA would recommend that Wrangell and Petersburg be allowed to form separate boroughs]

July 1, 2000

1. Incorporation of Lower Kuskokwim Borough (Lower Kuskokwim REAA, Yupiit REAA)
2. Incorporation of Bering Straits Borough (Bering Straits REAA, Nome)
3. Incorporation of Southwest Region Borough (Southwest Region REAA, Dillingham)
4. Incorporation of Prince of Wales Island Borough (portion of Southeast Islands REAA - all of Prince of Wales Island, including Hydaburg, Craig and Klawock, the southern end of Baranof Island including Port Alexander and the southern end of Kuiu Island)
5. Annexation of Hyder and Meyers Chuck to the Ketchikan Gateway Borough

Page 2

6. Incorporation of Lower Yukon Borough (Lower Yukon REAA, Kashunamiut REAA, St. Mary's)

July 1, 2001

1. Incorporation of Pribilof Islands Borough (Pribilof Islands REAA)
2. Incorporation of Glacier Bay Borough (portion of Chatham REAA encompassing Gustavus, Elfin Cove, Freshwater Bay, Game Creek, Whitestone Logging Camp and Tenakee Springs; Hoonah, Pelican)
3. Incorporation of Chatham Borough (Rowan Bay, Cube Cove, Kake, Angoon)
4. Annexation of Skagway and Klukwan to the Haines Borough [note: DCRA may support formation of a separate borough for Skagway]
5. Annexation of Hobart Bay to the City and Borough of Juneau
6. Incorporation of Kuspuk Borough (Kuspuk REAA)
7. Incorporation of Iditarod Borough (Iditarod REAA)
8. Incorporation of Annette Islands Borough (Annette Islands REAA)

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Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Senate C+RA
2-28-96 1:35pm
SB280

Mary Pagenkopf

SB

310

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

MEMORANDUM

April 25, 1996

SUBJECT: 1996 Revisor's Bill; CSSB 310(STA)

TO: Representative Jeannette James, Chair
House State Affairs Committee
Attn: Walt Wilcox

FROM: Pamela Finley *PF*
Revisor of Statutes

The following is a sectional analysis of CSSB 310(STA), the 1996 revisor's bill, which has been referred to your committee. The bill is prepared under AS 01.05.036, which provides, in part, that the revisor of statutes

...shall prepare for submission to the legislature legislation for the correction or removal of the deficiencies, conflicts, or obsolete provisions, or to otherwise improve the form or substance of...the statute law of this state.

To assist the reader in understanding the bill, I have summarized the contents by listing sections that have similar purposes or effects.

Sections that delete, repeal, or update obsolete provisions: Sections 2, 29 - 31, 33, 39 - 41, 49, and 53 delete, update, or repeal provisions that have become obsolete either through other legislative action or the passage of time.

Sections that correct errors or oversights: Sections 1, 3 - 6, 8 - 27, 34 - 35, 37 - 38, 42 - 45, 47 - 48, and 50 - 52, correct errors or oversights that cannot be corrected editorially.

Sections that improve the form or substance of the law: Sections 7, 28, 32, 36, and 46 propose amendments to improve the form or substance of the statute law of Alaska.

SECTIONAL ANALYSIS

Section 1. Chapter 101, SLA 1995 amended AS 04.11.480(a) to increase from 30 days to 60 days the time in which a local governing body can protest the renewal, relocation, or transfer of a liquor license. AS 04.11.510(a) contains a cross-reference to the protest period.

Representative Jeannette James

April 25, 1996

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Section 1 changes the reference from the former 30-day period to the time allowed for protest under AS 04.11.480. This amendment was requested by the Department of Law.

Section 2. Chapter 103, SLA 1994 added AS 08.01.088, which contains a reference to AS 47.24.110. However, ch. 129, SLA 1994 repealed AS 47.24.110 and essentially moved the provisions of AS 47.24.110 to AS 47.24.010. Since AS 47.24.010 is already mentioned in AS 08.01.088, this bill section just removes the referenced to repealed AS 47.24.110.

Sections 3 and 4. Chapter 130, SLA 1994 allowed the Department of Administration, as well as the Department of Health and Social Services, to license certain assisted living facilities. AS 47.33.410(a)-(c). One of the elements of sexual assault in the first and second degrees against a mentally incapable person involves licensure of a facility or program by the Department of Health and Social Services. AS 11.41.410 and 11.41.420. To avoid having the commission of a sexual assault depend on whether a particular facility is licensed by the Department of Administration or the Department of Health and Social Services, AS 11.41.410 and 11.41.420 should have been amended to include a reference to licensure by the Department of Administration under AS 47.33. Bill sections 3 and 4 do this.

Sections 5 and 6. Chapter 2, SLA 1991 added AS 11.46.482(a)(5) to make joyriding in a marked police or emergency vehicle a class C felony, even if there was no damage to the vehicle equaling or exceeding \$500 as required under AS 11.46.482(a)(4). At that time, two references to AS 11.46.482(a)(4) should have been expanded to include AS 11.46.482(a)(5) so that both the class C felonies for joyriding under AS 11.46.482(a)(4) and (5) were treated equally. One of those cross references is in AS 11.46.484(c), which increases the penalty for joyriding if the defendant was convicted of joyriding under AS 11.46.482(a)(4) or 11.46.484(a)(2) in the preceding seven years. The other cross-reference is in AS 11.46.486(a), which makes it a class B misdemeanor to ride in a vehicle knowing it has been taken in violation of AS 11.46.482(a)(4) or 11.46.484(a)(2). Bill sections 5 and 6 add a reference to AS 11.46.482(a)(5) to both AS 11.46.484(c) and 11.46.486(a). Bill section 54 clarifies that the reference to prior convictions in AS 11.46.484(c), as amended by sec. 5, includes convictions occurring on or before the effective date of this Act.

Section 7. Chapters 80 and 81, SLA 1995 both amended AS 12.25.030(b), the section covering warrantless arrests for certain enumerated offenses. Chapter 80 added a reference to AS 04.16.050 (minor consuming alcohol) or an ordinance with similar elements, while chapter 81 added a reference to AS 04.16.050 (but not similar ordinances) and provided that persons under 18 who are arrested for violating AS 04.16.050 shall be released to the minor's parent, guardian, or legal custodian unless there is lawful reason for further detention. Bill section 7 combines chapters 80 and 81 and makes the release provisions applicable to ordinances similar to AS 04.16.050.

Sections 8 - 10. In chapter 92, SLA 1983, the legislature added presumptive terms for first felony offenders who knowingly directed assaultive conduct at identified peace and correctional officers and emergency personnel. AS 12.55.125(d)(3) and (e)(3). However, the

legislature failed to cross-reference these new presumptive terms in AS 12.55.125(g) (prohibiting suspension of imprisonment or sentence or other reduction of imprisonment), AS 12.55.155(a) (making presumptive terms subject to aggravating and mitigating factors), and AS 12.55.165(a) (concerning referral to three-judge court.) In Edwin v. State, 762 P.2d 499 (Alaska 1988), the Alaska Court of Appeals decided that the failure to amend these three statutes was inadvertent, and that those statutes should be read as if they contained references to the presumptive terms in AS 12.55.125(d)(3) and (e)(3). The situation was complicated by the addition of AS 12.55.125(e)(4), concerning certain felonies related to guide-outfitting, by ch. 37, SLA 1989. This addition was also not referenced in AS 12.55.125(g), 12.55.155(a), or 12.55.165(a). To further complicate matters, the 1990 revisor's bill, ch. 168, SLA 1990, amended AS 12.55.165(a) to reference subsections (d) and (e) of AS 12.55.125. While this is the normal style, because the lead-in language in both AS 12.55.125(d) and (e), refers to crimes that are not subject to presumptive sentencing (i.e., first felony offenses), the references ought to be to the specific paragraphs rather than the subsections. Because SCS CSHB 127 (JUD), which repeals AS 12.55.125(d)(3) and (e)(3), has recently passed both houses, this revision omits any reference to those paragraphs. However, bill sections 8 and 9 amend AS 12.55.125(g) and 12.55.155(a) to extend the reasoning of Edwin to include AS 12.55.125(e)(4). Bill section 10 amends AS 12.55.165(a) to change "(d)" to "(d)(1) and (d)(2)", and to change "(e)" to "(e)(1), (e)(2), and (e)(4)."

Section 11. This bill section amends AS 12.75.100, concerning the remedy of a person in custody because of civil process, to substitute "matter of substance required by law" for "matter or substance required by law." This section derives from sec. 66-26-16, A.C.L.A. 1949, and there appears as "matter of substance." In the 1962 codification, sec. 12.10, ch. 34, SLA 1962, "matter or substance" appears, but since "substance required by law" makes no sense in this context, it appears the 1962 codification contained a typographical error. This bill section reinstates the 1949 language.

Section 12. This bill section amends the statutory power of attorney form, AS 13.26.332, to substitute "acknowledged before me" for "subscribed and sworn to or affirmed before me." This law was derived from a uniform act which uses an acknowledgment, and an acknowledgment (rather than "subscribed and sworn to or affirmed") is proper because the person executing the power of attorney is not swearing to or affirming anything. The purpose of an acknowledgment is to verify that the person actually signed it for the purposes stated in it. See AS 09.63.090. This change was suggested by a private practitioner who said that he was forced to use both an acknowledgment (because it was correct) and "subscribed and sworn to" (because the statute required it.)

Section 13. AS 15.13.110(f), added by sec. 2, ch. 59, SLA 1995, requires the filing of campaign disclosure reports by a person who has filed a nominating petition to become a candidate "at the general election." However, AS 15.25.190, as amended by sec. 15, ch. 58, SLA 1995, requires a person nominated by petition to run at the primary election. To reconcile chs. 58 and 59, SLA 1995, this bill section amends AS 15.13.110(f)(2) by

Representative Jeannette James

April 25, 1996

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substituting "primary election" for "general election." The amendment was requested by the Alaska Public Offices Commission, Department of Administration.

Sections 14 and 15. These sections add references to tags in general, and the anadromous salmon tag in particular, to AS 16.05.110 (composition of fish and game fund) and AS 16.05.130(a) (limitations on expenditure of money from sport fishing, hunting, and trapping fees). This should have been done when tags were added to the statutes.

Sections 16 - 23. These sections add a reference to "permits" to AS 16.05.340(a) (fees), 16.05.350 (expiration of licenses, permits, and tags), 16.05.380 (appointment of agents), and 16.05.390 (fees and compensation of agents). This should have been done when the Chitina personal use salmon dip net fishing permit (16.05.340(a)(22)) was added in ch. 211, SLA 1990. In addition, section 17 adds to AS 16.05.350 an expiration date for triennial licenses. This should have been done when the triennial aquatic farming license (AS 16.05.340(a)(14)), was added in ch. 211, SLA 1990. Section 17 also includes an exception to the annual expiration date for permits that have different specific expiration dates, e.g., educational collection permits under AS 16.05.340(b).

Sections 24 - 26. These sections add a reference to the possession of other documents required by law to AS 16.05.405(c), (e), and (f), which relate to taking fish and game by proxy. These other documents include such things as waterfowl and salmon tags, although the amendments are drafted broadly to include all documents required by law so that documents required by regulation or future legislation would also be included. These bill sections correct errors in past legislation which added tags and other required documents.

Section 27. Under AS 16.05.407(b) and 16.05.408(b), nonresidents and nonresident aliens who falsify information on a required affidavit are guilty of perjury. In general, AS 16.05.420(b) makes an applicant who provides false information on an application for a license, tag, or permit guilty of unsworn falsification. AS 16.05.420(b) recognizes AS 16.05.408(b) as an exception to the general provision, but does not reference AS 16.05.407(b). This section corrects that error by inserting in AS 16.05.420(b) a reference to AS 16.05.407(b).

Section 28. This section amends AS 16.10.010 (concerning interference with salmon spawning streams and waters) by rearranging it. AS 16.10.010 is derived from sec. 39-2-31, A.C.L.A. 1949, which consisted of one long sentence (the general substance of current paragraphs 1 - 3, up to the last semicolon) and a second sentence setting out the requirements for the application (currently the material following the last semicolon in paragraph (3).) In the 1962 codification, paragraph designations were added, with the requirements for the application being a sentence in paragraph (3). While the 1962 codification did break up an unwieldy sentence, it left the description of the affected waters in paragraph (1) only and the requirement for an application in paragraph (3) only. In the 1992 editorial revision of AS 16, the revisor attempted to fix part of the problem editorially by adding "described in (1) of this section" after "waters" in both paragraphs (2) and (3). While this editorial change did correct

Representative Jeannette James

April 25, 1996

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part of the error in the 1962 codification, it did not clearly make the permit requirement applicable to paragraphs (1) and (2). Accordingly, this bill section moves the permit requirement to the beginning of the section, retains the editorial change of "waters described in (1)," and designates as subsection (b) the material currently following the last semicolon. This seems the clearest way of correcting technical errors in the 1962 codification.

Sections 29 and 30. These bill sections change "authority" to "corporation" in AS 18.55.230 and 18.55.580(b). This should have been done when, in ch. 4, FSSLA 1992, the Alaska Housing Finance Corporation assumed the duties of the Alaska State Housing Authority.

Section 31. Chapter 4, FSSLA 1992 repealed certain provisions of AS 44.47 that provided for owner-occupied housing loans. However, AS 18.56.096 (concerning limitations on loans) still contains a reference to AS 44.47. To make it clear that the reference is to the former provisions, "former provisions of" is inserted before "AS 44.47."

Section 32. This bill section substitutes "commissioner's reserve valuation methods" for "commissioner's reserves valuation methods" in AS 21.18.110(b)(1) in order to parallel the language in AS 21.18.110(b)(2). The amendment was requested by the Department of Law.

Section 33. This bill section amends AS 21.36.095 (concerning insurance coverage of children), by substituting a reference to current federal law (42.U.S.C. 1396g-1) for a reference to a repealed federal law (42 U.S.C. 1396g). 42 U.S.C. 1396g-1 does contain a reference to a "service benefit plan" and was, according to the Department of Health and Social Services, the correct citation. This corrects an error in ch. 102, SLA 1994.

Sections 34 and 35. These bill sections substitute "director of the division of insurance" for "insurance commissioner" in two workers' compensation statutes, AS 23.30.025(a) and 23.30.030(7). The definition of "insurance commissioner" in AS 23.30.265(18) is repealed in bill section 53. The sections being amended were enacted in ch. 193, SLA 1959. The position of director of the division of insurance was not created until ch. 120, SLA 1966. The amendments made by these bill sections should have been made in ch. 120, SLA 1966. The amendments were requested by the Department of Law.

Section 36. This bill section amends AS 29.06.040(c) (relating to procedures for annexation and detachment of territory by municipalities) by substituting "must include" for "include". This is more consistent with the requirement of the first sentence of the subsection that the Local Boundary Commission establish the procedures.

Section 37. This bill section amends AS 33.16.230, which allows a prisoner or parolee to waive a right to a hearing provided under several enumerated laws. One of those laws--- AS 33.16.120---does not give the prisoner or parolee a right to a hearing, but instead sets out the rights of crime victims. However, AS 33.16.130(b), which is not enumerated in AS 33.16.230, does give a prisoner the right to a hearing. Since it appears the reference to AS 33.16.120 should have been to AS 33.16.130, that change is made in this bill section.

Representative Jeannette James

April 25, 1996

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Section 38. This bill section amends AS 33.30.028(a) (relating to payment for medical care of prisoners) to change a spanned reference. Currently, liability for costs of medical care is the responsibility of the prisoner and the Department of Health and Social Services if the prisoner is eligible for assistance under AS 47.07 (medical assistance for needy persons) or AS 47.25.120 - 47.25.310. AS 47.25.120 - 47.25.300 is the article covering general relief assistance, but AS 47.25.310 is the first section of the article governing aid to families with dependent children. Since a prisoner would not be in a situation where the prisoner is eligible for AFDC, the correct spanned reference should be AS 47.25.120 - 47.25.300. This bill section makes that change. The amendment was requested by the Department of Law.

Sections 39 - 41. These bill sections amend AS 34.35.190, 34.35.410(a), and 34.35.440(c) to allow the recorder to index certain liens on a computer-readable medium instead of a book. According to the Department of Law, the recorder has been keeping the index for personal property liens covered by these statutes on a computer since the early 1970s. These bill sections provide the statutory authority for that practice. The amendments were requested by the Department of Law.

Section 42. Sections 67 and 68, ch. 21, SLA 1995 deleted the requirement that the oil and gas leasing program be submitted to the legislature. AS 38.05.180(b) and (e). However, a reference to the submission in AS 38.05.180(d) was left in statute. This bill section removes that reference.

Section 43. Chapter 131, SLA 1994 changed the name of the Older Alaskans Commission to the Alaska Commission on Aging. AS 44.21.200. This bill section changes the name of the Commission in AS 39.25.120(c)(9)(J).

Sections 44 and 45. These bill sections amend AS 39.27.012 and 39.27.020(c) to give the correct title for the director of the division of personnel.

Section 46. This bill section rewords AS 41.21.960(d) (relating to forfeiture of bail and seized items) to parallel the sentence structure in AS 16.05.165(d). This makes the sentence clearer and avoids the question of whether the verb should be plural or singular.

Sections 47 and 48. These bill sections substitute "adjutant general of the Department of Military and Veterans' Affairs" for "commissioner of military and veterans' affairs" in AS 46.04.080(a) and AS 46.09.030. The principal executive officer of the Department of Military and Veterans' Affairs is called the adjutant general, not the commissioner. AS 44.35.010.

Section 49. This bill section amends AS 46.35.070(e) (relating to environmental procedures coordination) to remove a dated reference. The reference was originally intended to preserve existing law, but is no longer necessary.

Representative Jeannette James

April 25, 1996

Page 7

Sections 50 and 51. In ch. 113, SLA 1994, the confidentiality provisions for court and agency records concerning juveniles (formerly found in AS 47.10.090) were modified so that provisions relating to court records remained in AS 47.10.090 and provisions relating to agency records were put in a new section, AS 47.10.093. Bill sections 50 and 51 amend AS 47.10.092(a) (relating to allowed disclosures to certain public officials) and AS 47.10.460(a) (relating to review panels) to include appropriate references to AS 47.10.093.

Section 52. Chapter 98, SLA 1995 added AS 47.10.265, relating to youth courts. In early drafts of the bill, the youth court provisions were placed in AS 18.05, which defined "commissioner" as the commissioner of health and social services. When the provision was moved to AS 47.10 by a floor amendment, the definition of "commissioner" was lost because AS 47.10 does not contain a definition for "commissioner," although it does define "department" as the Department of Health and Social Services. This bill section defines "commissioner" as the commissioner of health and social services for all of AS 47.10, which will cover not only the youth court provisions, but other sections of AS 47.10 as well. Currently, in AS 47.10 "commissioner" refers to either a specifically named commissioner or to the commissioner of health and social services. See AS 47.10.080(d), 47.10.092(a), and 47.10.400(a). Adding a general definition of "commissioner" for the chapter will make it easier to draft in this chapter in the future.

Section 53. This section repeals obsolete or duplicative provisions. The text of these provisions is attached.

AS 12.36.090(3): Defines "peace officer," a term that no longer appears in AS 12.36.

AS 19.22.030(1)

AS 19.25.160(1)

AS 19.27.110(2)

AS 19.30.241(3)

AS 19.30.320(2)

AS 19.40.290(1): Define "department" as the Department of Transportation and Public Facilities. These definitions duplicate AS 19.45.001, which applies to AS 19.05 - 19.40 and contains the same definition of "department."

AS 19.30.241(1): Defines "commissioner" as the commissioner of transportation and public facilities. This duplicates AS 19.45.001, which applies to AS 19.05 - 19.40 and contains the same definition of "commissioner."

AS 23.30.265(18): Defines "insurance commissioner." Because bill sections 34 and 35 substitute "director of the division of insurance" for "insurance

Representative Jeannette James

April 25, 1996

Page 8

commissioner" in all provisions of AS 23.30 that use the term "insurance commissioner," this definition is no longer necessary.

AS 30.13.140. Provides that regional resource development authorities are not subject to the Alaska Transportation Commission. The Alaska Transportation Commission (former AS 42.07) was repealed by 1983 Initiative Proposal No. 2, effective February 28, 1985.

AS 46.03.900(3). Defines "atomic radiation," a term that no longer appears in AS 46.03. The term should have been repealed in ch. 172, SLA 1978.

Section 54. This bill section clarifies that the prior convictions referred to in AS 11.46.484(c), as amended by sec. 5, include those occurring on or before the effective date of this Act.

Section 55. This bill section preserves legislation passed this session that takes effect before or at the same time as the revisor's bill and that irreconcilably conflicts with the revisor's bill. (Conflicting legislation that takes effect after the revisor's bill will override the revisor's bill under normal rules.)

Section 56. Gives the bill an immediate effective date.

Please let me know if you have any questions about the above.

PF:klb

96-309.klb

Attachment

TEXT OF STATUTES REPEALED

AS 12.36.090(3):

(3) "peace officer" means a public servant vested by law with a duty to maintain public order or to make arrests, whether the duty extends to all offenses or is limited to a specific class of offenses or offenders.

AS 19.22.030(1):

(1) "department" means the Department of Transportation and Public Facilities;

AS 19.25.160(1):

(1) "department" means the Department of Transportation and Public Facilities;

AS 19.27.110(2):

(2) "department" means the Department of Transportation and Public Facilities;

AS 19.30.241(1) and (3):

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

(3) "department" means the Department of Transportation and Public Facilities;

AS 19.30.320(2):

(2) "department" means the Department of Transportation and Public Facilities;

AS 19.40.290(1):

(1) "department" means the Department of Transportation and Public Facilities;

AS 23.30.265(18):

(18) "insurance commissioner" refers to the person who heads the insurance division or section of the Department of Commerce and Economic Development and is charged with the administration of the state insurance laws;

AS 30.13.140:

Sec. 30.13.140. NOT SUBJECT TO TRANSPORTATION COMMISSION JURISDICTION. An authority is not subject to the jurisdiction of the Alaska Transportation Commission.

AS 46.03.900(3):

(3) "atomic radiation" means all ionizing radiation;

PF:klb

96-191.klb

FISCAL NOT

No. 1

STATE OF ALASKA
1996 LEGISLATIVE SESSION

Bill Version: CS SB 310CSA
(S) Publish Date: 4/22/96

Revision Date: _____
Title: "An Act making corrective amendments to the Alaska Statutes as recommended by the revisor..."
Sponsor: Senate Rules by request of Leg. Council
Requestor: Senate State Affairs

Department Affected: Legislative Affairs Agency
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES /	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Schofield, Deputy Director *Karla Schofield* Phone: 465-3852
 Division: Administrative Services Date: 4/15/96

Approved By: Pamela A. Varni, Executive Director *Pamela Varni*
 Agency: Legislative Affairs Agency Date: 4/15/96

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

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


SB 310

MEMORANDUM

March 13, 1996

SUBJECT: 1996 Revisor's Bill

TO: Senator Mike Miller, Chair
Senate Rules Committee

FROM: Pamela Finley 
Revisor of Statutes

Enclosed is a final for the 1996 revisor's bill, as approved at the March 12, 1996 meeting of Legislative Council. I would appreciate it if the Rules Committee would introduce it as soon as possible. The bill is prepared under AS 01.05.036, which provides, in part, that the revisor of statutes

...shall prepare for submission to the legislature legislation for the correction or removal of the deficiencies, conflicts, or obsolete provisions, or to otherwise improve the form or substance of...the statute law of this state.

To assist the reader in understanding the bill, I have summarized the contents by listing sections that have similar purposes or effects.

Sections that delete, repeal, or update obsolete provisions: Sections 2, 29 - 31, 33, 39 - 41, 49, and 53 delete, update, or repeal provisions that have become obsolete either through other legislative action or the passage of time.

Sections that correct errors or oversights: Sections 1, 3 - 6, 8 - 27, 34 - 35, 37 - 38, 42 - 45, 47 - 48, and 50 - 52, correct errors or oversights that cannot be corrected editorially.

Sections that improve the form or substance of the law: Sections 7, 28, 32, 36, and 46 propose amendments to improve the form or substance of the statute law of Alaska.

SECTIONAL ANALYSIS

Section 1. Chapter 101, SLA 1995 amended AS 04.11.480(a) to increase from 30 days to 60 days the time in which a local governing body can protest the renewal, relocation, or transfer of a liquor license. AS 04.11.510(a) contains a cross-reference to the protest period.

Section 1 changes the reference from the former 30-day period to the time allowed for protest under AS 04.11.480. This amendment was requested by the Department of Law.

Section 2. Chapter 103, SLA 1994 added AS 08.01.088, which contains a reference to AS 47.24.110. However, ch. 129, SLA 1994 repealed AS 47.24.110 and essentially moved the provisions of AS 47.24.110 to AS 47.24.010. Since AS 47.24.010 is already mentioned in AS 08.01.088, this bill section just removes the referenced to repealed AS 47.24.110.

Sections 3 and 4. Chapter 130, SLA 1994 allowed the Department of Administration, as well as the Department of Health and Social Services, to license certain assisted living facilities. AS 47.33.410(a)-(c). One of the elements of sexual assault in the first and second degrees against a mentally incapable person involves licensure of a facility or program by the Department of Health and Social Services. AS 11.41.410 and 11.41.420. To avoid having the commission of a sexual assault depend on whether a particular facility is licensed by the Department of Administration or the Department of Health and Social Services, AS 11.41.410 and 11.41.420 should have been amended to include a reference to licensure by the Department of Administration under AS 47.33. Bill sections 3 and 4 do this.

Sections 5 and 6. Chapter 2, SLA 1991 added AS 11.46.482(a)(5) to make joyriding in a marked police or emergency vehicle a class C felony, even if there was no damage to the vehicle equaling or exceeding \$500 as required under AS 11.46.482(a)(4). At that time, two references to AS 11.46.482(a)(4) should have been expanded to include AS 11.46.482(a)(5) so that both the class C felonies for joyriding under AS 11.46.482(a)(4) and (5) were treated equally. One of those cross references is in AS 11.46.484(c), which increases the penalty for joyriding if the defendant was convicted of joyriding under AS 11.46.482(a)(4) or 11.46.484(a)(2) in the preceding seven years. The other cross-reference is in AS 11.46.486(a), which makes it a class B misdemeanor to ride in a vehicle knowing it has been taken in violation of AS 11.46.482(a)(4) or 11.46.484(a)(2). Bill sections 5 and 6 add a reference to AS 11.46.482(a)(5) to both AS 11.46.484(c) and 11.46.486(a). Bill section 54 clarifies that the reference to prior convictions in AS 11.46.484(c), as amended by sec. 5, includes convictions occurring on or before the effective date of this Act.

Section 7. Chapters 80 and 81, SLA 1995 both amended AS 12.25.030(b), the section covering warrantless arrests for certain enumerated offenses. Chapter 80 added a reference to AS 04.16.050 (minor consuming alcohol) or an ordinance with similar elements, while chapter 81 added a reference to AS 04.16.050 (but not similar ordinances) and provided that persons under 18 who are arrested for violating AS 04.16.050 shall be released to the minor's parent, guardian, or legal custodian unless there is lawful reason for further detention. Bill section 7 combines chapters 80 and 81 and makes the release provisions applicable to ordinances similar to AS 04.16.050.

Sections 8 - 10. In chapter 92, SLA 1983, the legislature added presumptive terms for first felony offenders who knowingly directed assaultive conduct at identified peace and correctional officers and emergency personnel. AS 12.55.125(d)(3) and (e)(3). However, the

legislature failed to cross-reference these new presumptive terms in AS 12.55.125(g) (prohibiting suspension of imprisonment or sentence or other reduction of imprisonment), AS 12.55.155(a) (making presumptive terms subject to aggravating and mitigating factors), and AS 12.55.165(a) (concerning referral to three-judge court.) In Edwin v. State, 762 P.2d 499 (Alaska 1988), the Alaska Court of Appeals decided that the failure to amend these three statutes was inadvertent, and that those statutes should be read as if they contained references to the presumptive terms in AS 12.55.125(d)(3) and (e)(3). The situation was complicated by the addition of AS 12.55.125(e)(4), concerning certain felonies related to guide-outfitting, by ch. 37, SLA 1989. This addition was also not referenced in AS 12.55.125(g), 12.55.155(a), or 12.55.165(a). To further complicate matters, the 1990 revisor's bill, ch. 168, SLA 1990, amended AS 12.55.165(a) to reference subsections (d) and (e) of AS 12.55.125. While this is the normal style, because the lead-in language in both AS 12.55.125(d) and (e), refers to crimes that are not subject to presumptive sentencing (i.e., first felony offenses), the references ought to be to the specific paragraphs rather than the subsections. Because SCS CSHB 127 (JUD), which repeals AS 12.55.125(d)(3) and (e)(3), has recently passed both houses, this revision omits any reference to those paragraphs. However, bill sections 8 and 9 amend AS 12.55.125(g) and 12.55.155(a) to extend the reasoning of Edwin to include AS 12.55.125(e)(4). Bill section 10 amends AS 12.55.165(a) to change "(d)" to "(d)(1) and (d)(2), "and to change "(e)" to "(e)(1), (e)(2), and (e)(4)."

Section 11. This bill section amends AS 12.75.100, concerning the remedy of a person in custody because of civil process, to substitute "matter of substance required by law" for "matter or substance required by law." This section derives from sec. 66-26-16, A.C.L.A. 1949, and there appears as "matter of substance." In the 1962 codification, sec. 12.10, ch. 34, SLA 1962, "matter or substance" appears, but since "substance required by law" makes no sense in this context, it appears the 1962 codification contained a typographical error. This bill section reinstates the 1949 language.

Section 12. This bill section amends the statutory power of attorney form, AS 13.26.332, to substitute "acknowledged before me" for "subscribed and sworn to or affirmed before me." This law was derived from a uniform act which uses an acknowledgment, and an acknowledgment (rather than "subscribed and sworn to or affirmed") is proper because the person executing the power of attorney is not swearing to or affirming anything. The purpose of an acknowledgment is to verify that the person actually signed it for the purposes stated in it. See AS 09.63.090. This change was suggested by a private practitioner who said that he was forced to use both an acknowledgment (because it was correct) and "subscribed and sworn to" (because the statute required it.)

Section 13. AS 15.13.110(f), added by sec. 2, ch. 59, SLA 1995, requires the filing of campaign disclosure reports by a person who has filed a nominating petition to become a candidate "at the general election." However, AS 15.25.190, as amended by sec. 15, ch. 58, SLA 1995, requires a person nominated by petition to run at the primary election. To reconcile chs. 58 and 59, SLA 1995, this bill section amends AS 15.13.110(f)(2) by

substituting "primary election" for "general election." The amendment was requested by the Alaska Public Offices Commission, Department of Administration.

Sections 14 and 15. These sections add references to tags in general, and the anadromous salmon tag in particular, to AS 16.05.110 (composition of fish and game fund) and AS 16.05.130(a) (limitations on expenditure of money from sport fishing, hunting, and trapping fees). This should have been done when tags were added to the statutes.

Sections 16 - 23. These sections add a reference to "permits" to AS 16.05.340(a) (fees), 16.05.350 (expiration of licenses, permits, and tags), 16.05.380 (appointment of agents), and 16.05.390 (fees and compensation of agents). This should have been done when the Chitina personal use salmon dip net fishing permit (16.05.340(a)(22)) was added in ch. 211, SLA 1990. In addition, section 17 adds to AS 16.05.350 an expiration date for triennial licenses. This should have been done when the triennial aquatic farming license (AS 16.05.340(a)(14)), was added in ch. 211, SLA 1990.

Sections 24 - 26. These sections add a reference to the possession of other documents required by law to AS 16.05.405(c), (e), and (f), which relate to taking fish and game by proxy. These other documents include such things as waterfowl and salmon tags, although the amendments are drafted broadly to include all documents required by law so that documents required by regulation or future legislation would also be included. These bill sections correct errors in past legislation which added tags and other required documents.

Section 27. Under AS 16.05.407(b) and 16.05.408(b), nonresidents and nonresident aliens who falsify information on a required affidavit are guilty of perjury. In general, AS 16.05.420(b) makes an applicant who provides false information on an application for a license, tag, or permit guilty of unsworn falsification. AS 16.05.420(b) recognizes AS 16.05.408(b) as an exception to the general provision, but does not reference AS 16.05.407(b). This section corrects that error by inserting in AS 16.05.420(b) a reference to AS 16.05.407(b).

Section 28. This section amends AS 16.10.010 (concerning interference with salmon spawning streams and waters) by rearranging it. AS 16.10.010 is derived from sec. 39-2-31, A.C.L.A. 1949, which consisted of one long sentence (the general substance of current paragraphs 1 - 3, up to the last semicolon) and a second sentence setting out the requirements for the application (currently the material following the last semicolon in paragraph (3).) In the 1962 codification, paragraph designations were added, with the requirements for the application being a sentence in paragraph (3). While the 1962 codification did break up an unwieldy sentence, it left the description of the affected waters in paragraph (1) only and the requirement for an application in paragraph (3) only. In the 1992 editorial revision of AS 16, the revisor attempted to fix part of the problem editorially by adding "described in (1) of this section" after "waters" in both paragraphs (2) and (3). While this editorial change did correct part of the error in the 1962 codification, it did not clearly make the permit requirement applicable to paragraphs (1) and (2). Accordingly, this bill section moves the permit

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requirement to the beginning of the section, retains the editorial change of "waters described in (1)," and designates as subsection (b) the material currently following the last semicolon. This seems the clearest way of correcting technical errors in the 1962 codification.

Sections 29 and 30. These bill sections change "authority" to "corporation" in AS 18.55.230 and 18.55.580(b). This should have been done when, in ch. 4, FSSLA 1992, the Alaska Housing Finance Corporation assumed the duties of the Alaska State Housing Authority.

Section 31. Chapter 4, FSSLA 1992 repealed certain provisions of AS 44.47 that provided for owner-occupied housing loans. However, AS 18.56.096 (concerning limitations on loans) still contains a reference to AS 44.47. To make it clear that the reference is to the former provisions, "former provisions of" is inserted before "AS 44.47."

Section 32. This bill section substitutes "commissioner's reserve valuation methods" for "commissioner's reserves valuation methods" in AS 21.18.110(b)(1) in order to parallel the language in AS 21.18.110(b)(2). The amendment was requested by the Department of Law.

Section 33. This bill section amends AS 21.36.095 (concerning insurance coverage of children), by substituting a reference to current federal law (42 U.S.C. 1396g-1) for a reference to a repealed federal law (42 U.S.C. 1396g). 42 U.S.C. 1396g-1 does contain a reference to a "service benefit plan" and was, according to the Department of Health and Social Services, the correct citation. This corrects an error in ch. 102, SLA 1994.

Sections 34 and 35. These bill sections substitute "director of the division of insurance" for "insurance commissioner" in two workers' compensation statutes, AS 23.30.025(a) and 23.30.030(7). The definition of "insurance commissioner" in AS 23.30.265(18) is repealed in bill section 53. The sections being amended were enacted in ch. 193, SLA 1959. The position of director of the division of insurance was not created until ch. 120, SLA 1966. The amendments made by these bill sections should have been made in ch. 120, SLA 1966. The amendments were requested by the Department of Law.

Section 36. This bill section amends AS 29.06.040(c) (relating to procedures for annexation and detachment of territory by municipalities) by substituting "must include" for "include". This is more consistent with the requirement of the first sentence of the subsection that the Local Boundary Commission establish the procedures.

Section 37. This bill section amends AS 33.16.230, which allows a prisoner or parolee to waive a right to a hearing provided under several enumerated laws. One of those laws---AS 33.16.120---does not give the prisoner or parolee a right to a hearing, but instead sets out the rights of crime victims. However, AS 33.16.130(b), which is not enumerated in AS 33.16.230, does give a prisoner the right to a hearing. Since it appears the reference to AS 33.16.120 should have been to AS 33.16.130, that change is made in this bill section.

Section 38. This bill section amends AS 33.30.028(a) (relating to payment for medical care of prisoners) to change a spanned reference. Currently, liability for costs of medical care is the responsibility of the prisoner and the Department of Health and Social Services if the prisoner is eligible for assistance under AS 47.07 (medical assistance for needy persons) or AS 47.25.120 - 47.25.310. AS 47.25.120 - 47.25.300 is the article covering general relief assistance, but AS 47.25.310 is the first section of the article governing aid to families with dependent children. Since a prisoner would not be in a situation where the prisoner is eligible for AFDC, the correct spanned reference should be AS 47.25.120 - 47.25.300. This bill section makes that change. The amendment was requested by the Department of Law.

Sections 39 - 41. These bill sections amend AS 34.35.190, 34.35.410(a), and 34.35.440(c) to allow the recorder to index certain liens on a computer-readable medium instead of a book. According to the Department of Law, the recorder has been keeping the index for personal property liens covered by these statutes on a computer since the early 1970s. These bill sections provide the statutory authority for that practice. The amendments were requested by the Department of Law.

Section 42. Sections 67 and 68, ch. 21, SLA 1995 deleted the requirement that the oil and gas leasing program be submitted to the legislature. AS 38.05.180(b) and (e). However, a reference to the submission in AS 38.05.180(d) was left in statute. This bill section removes that reference.

Section 43. Chapter 131, SLA 1994 changed the name of the Older Alaskans Commission to the Alaska Commission on Aging. AS 44.21.200. This bill section changes the name of the Commission in AS 39.25.120(c)(9)(J).

Sections 44 and 45. These bill sections amend AS 39.27.012 and 39.27.020(c) to give the correct title for the director of the division of personnel.

Section 46. This bill section rewords AS 41.21.960(d) (relating to forfeiture of bail and seized items) to parallel the sentence structure in AS 16.05.165(d). This makes the sentence clearer and avoids the question of whether the verb should be plural or singular.

Sections 47 and 48. These bill sections substitute "adjutant general of the Department of Military and Veterans' Affairs" for "commissioner of military and veterans' affairs" in AS 46.04.080(a) and AS 46.09.030. The principal executive officer of the Department of Military and Veterans' Affairs is called the adjutant general, not the commissioner. AS 44.35.010.

Section 49. This bill section amends AS 46.35.070(e) (relating to environmental procedures coordination) to remove a dated reference. The reference was originally intended to preserve existing law, but is no longer necessary.

Sections 50 and 51. In ch. 113, SLA 1994, the confidentiality provisions for court and agency records concerning juveniles (formerly found in AS 47.10.090) were modified so that provisions relating to court records remained in AS 47.10.090 and provisions relating to agency records were put in a new section, AS 47.10.093. Bill sections 50 and 51 amend AS 47.10.092(a) (relating to allowed disclosures to certain public officials) and AS 47.10.460(a) (relating to review panels) to include appropriate references to AS 47.10.093.

Section 52. Chapter 98, SLA 1995 added AS 47.10.265, relating to youth courts. In early drafts of the bill, the youth court provisions were placed in AS 18.05, which defined "commissioner" as the commissioner of health and social services. When the provision was moved to AS 47.10 by a floor amendment, the definition of "commissioner" was lost because AS 47.10 does not contain a definition for "commissioner," although it does define "department" as the Department of Health and Social Services. This bill section defines "commissioner" as the commissioner of health and social services for all of AS 47.10, which will cover not only the youth court provisions, but other sections of AS 47.10 as well. Currently, in AS 47.10 "commissioner" refers to either a specifically named commissioner or to the commissioner of health and social services. See AS 47.10.080(d), 47.10.092(a), and 47.10.400(a). Adding a general definition of "commissioner" for the chapter will make it easier to draft in this chapter in the future.

Section 53. This section repeals obsolete or duplicative provisions. The text of these provisions is attached.

AS 12.36.090(3): Defines "peace officer," a term that no longer appears in AS 12.36.

AS 19.22.030(1)

AS 19.25.160(1)

AS 19.27.110(2)

AS 19.30.241(3)

AS 19.30.320(2)

AS 19.40.290(1): Define "department" as the Department of Transportation and Public Facilities. These definitions duplicate AS 19.45.001, which applies to AS 19.05 - 19.40 and contains the same definition of "department."

AS 19.30.241(1): Defines "commissioner" as the commissioner of transportation and public facilities. This duplicates AS 19.45.001, which applies to AS 19.05 - 19.40 and contains the same definition of "commissioner."

AS 23.30.265(18): Defines "insurance commissioner." Because bill sections 34 and 35 substitute "director of the division of insurance" for "insurance

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commissioner" in all provisions of AS 23.30 that use the term "insurance commissioner," this definition is no longer necessary.

AS 30.13.140. Provides that regional resource development authorities are not subject to the Alaska Transportation Commission. The Alaska Transportation Commission (former AS 42.07) was repealed by 1983 Initiative Proposal No. 2, effective February 28, 1985.

AS 46.03.900(3). Defines "atomic radiation," a term that no longer appears in AS 46.03. The term should have been repealed in ch. 172, SLA 1978.

Section 54. This bill section clarifies that the prior convictions referred to in AS 11.46.484(c), as amended by sec. 5, include those occurring on or before the effective date of this Act.

Section 55. This bill section preserves legislation passed this session that takes effect before or at the same time as the revisor's bill and that irreconcilably conflicts with the revisor's bill. (Conflicting legislation that takes effect after the revisor's bill will override the revisor's bill under normal rules.)

Section 56. Gives the bill an immediate effective date.

Please let me know if you have any questions about the above.

PF:klb
96-190.klb

Attachment

TEXT OF STATUTES REPEALED

AS 12.36.090(3):

(3) "peace officer" means a public servant vested by law with a duty to maintain public order or to make arrests, whether the duty extends to all offenses or is limited to a specific class of offenses or offenders.

AS 19.22.030(1):

(1) "department" means the Department of Transportation and Public Facilities;

AS 19.25.160(1):

(1) "department" means the Department of Transportation and Public Facilities;

AS 19.27.110(2):

(2) "department" means the Department of Transportation and Public Facilities;

AS 19.30.241(1) and (3):

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

(3) "department" means the Department of Transportation and Public Facilities;

AS 19.30.320(2):

(2) "department" means the Department of Transportation and Public Facilities;

AS 19.40.290(1):

(1) "department" means the Department of Transportation and Public Facilities;

AS 23.30.265(18):

(18) "insurance commissioner" refers to the person who heads the insurance division or section of the Department of Commerce and Economic Development and is charged with the administration of the state insurance laws;

AS 30.13.140:

Sec. 30.13.140. NOT SUBJECT TO TRANSPORTATION COMMISSION JURISDICTION. An authority is not subject to the jurisdiction of the Alaska Transportation Commission.

AS 46.03.900(3):

(3) "atomic radiation" means all ionizing radiation;

PF:klb

96-191.klb

SCR

9/10

Alaska State Legislature

SENATOR
JOHN TORGERSON
DISTRICT D



Senate

SESSION ADDRESS
STATE CAPITOL, ROOM 427
JUNEAU, ALASKA 99801-1182
(907) 465-2828
FAX (907) 465-4779

SCR 9 & 10: SPONSOR STATEMENT

Senate Concurrent Resolutions 9 and 10 applaud the sponsors of and participants in the twenty-ninth annual Girls' and Boys' State programs. These programs work toward bringing an increased awareness of the roles our young men and women have in the future of our state.

The annual programs, sponsored by the American Legion and the Auxiliary, as well as other cooperating organizations, do not receive government or taxpayer monetary support, but rather are completely organized through volunteer efforts.

Without question, the organizers of this annual effort are to be congratulated and recognized. Their commitment to preparing our young men and women is outstanding.

I urge your support of these resolutions.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

NO. _____
BILL VERSION: SCR 9
PUBLISH DATE: _____

Revision Date: _____
Title: Relating to the twenty-seventh annual
Girls' State.
Sponsor: Senator Torgerson
Requestor: Senate State Affairs

Department Affected: Legislative Affairs Agency
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Schofield, Deputy Director *Karla Schofield* Phone: 465-3852
Division: Administrative Services Date: 2/10/95

Approved By: Pamela A. Varni, Executive Director *Pamela Varni*
Agency: Legislative Affairs Agency Date: 2/10/95

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov. , & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

NO. _____
BILL VERSION: SCR 10
PUBLISH DATE: _____

Revision Date: _____
Title: Relating to the twenty-ninth annual
Boy's State.
Sponsor: Senator Torgerson
Requestor: Senate State Affairs

Department Affected: Legislative Affairs Agency
BRU: All
Component: All

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Karla Schofield, Deputy Director
Division: Administrative Services

Phone: 465-3852
Date: 3/10/95

Approved By: Pamela A. Varni, Executive Director
Agency: Legislative Affairs Agency

Date: 3/10/95

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov. , & Impacted Agency(ies).