

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

9026 SENATE STATE AFFAIRS



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original documents after microfilm reproductions have been made.

A handwritten signature in cursive script, appearing to read "Peter L. [unclear]".

Signature of Camera Operator

10/20/98

Date

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STATUS
OF

BILLS IN

COMM-
ITTEE




Alaska State Legislature

Session:
State Capitol
Juneau AK 99801-1182

Senate State Affairs

Interim:
716 W 4th Avenue
Anchorage AK 99501-2133

TO: Legislative Affairs Library

FROM: Ann Ringstad 
Senate State Affairs Committee

DATE: August 2, 1996

RE: Final Action - 1995-1996 Legislative Session
Senate State Affairs Committee

For your records, I am enclosing a final status report on all legislation passed through the Senate State Affairs Committee for the years of 1995-1996.

I am preparing a final status file on SB 141, Legislative Ethics, and will forward it to you in the next couple of weeks.

SENATE STATE AFFAIRS STATUS

BILLS THROUGH SENATE STATE AFFAIRS				
1995-1996				Note: ""=1996 action
BILL #	NAME	SPONSOR	FINAL STATUS	FINAL VERSION
*HB 4	PFD ELIGIBILITY	REP. KOTT	H fld concur S am	SCS CSHB 4(FIN)
HB 10	PAYMENT OF COSTS OF DWI ACCIDENTS	REP. DAVIES	CH 87 SLA 95	CSHB 10(STA) AM
HB 13	CAMPAIGN FILINGS/DISCLOSURES	REP. GREEN	CH. 59 SLA 95	CSHB13 (STA)
*HB 42	ABSENTEE VOTING, ELECTRONIC BALLOTS	REP. MARTIN	CH 9 SLA 96	SCS CSHB 42(FIN)
HB 44	GAMING PROCEEDS, CHARITABLE GAMING	REP. MARTIN	VETOED 6/27/95	SCS CSHB 44(FIN)
HB 58	CHICKALOON FLATS CRIT. HABITAT	REP. BUNDE	DIED IN S. RESOURCES	CSHB 58(RES)
*HB 63	DOG MUSHING VANITY PLATES	REP. DAVIES	CH. 97 SLA 96	SSHB 63
HB 74	ASSAULT OF CHILDREN BY ADULTS	REP. BUNDE	CH. 54 SLA 95	CSHB 74(FIN)
*HB 90	CONVENING LEG. AFTER GOV. ELECT.	REP. B. DAVIS	CH. 72 SLA 96	HB 90 AM
HB 91	RELATING TO HUNTING IN MARINE PARKS	REP. ROBINSON	DIED S. STA.	CSHB 91(RES) AM
HB 164	ESTABLISHING PEARL HARBOR DAY	SP. COMM. M&VA	CH. 28 SLA 95	HB 164
HB 173	REPORTS BY STATE AGENCIES	REP. G. DAVIS	CH. 21 SLA 95	HB 173
*HB 179	COMM. OF EDUCATION/FISH & GAME	REP. THERRIAULT	CH. 14 SLA 96	CSHE 179(FSH) moved out 3/19
*HB 192	AHFC LOANS	REP. FOSTER	DIED IN S. FINANCE	CSHB 192(FIN) AM
*HB 198	ALLOWABLE ABSENCES FOR PFD	REP. ELTON	CH. 93, SLA 96	CSHE 198(STA) AM S
HB 210	MOTOR VEHICLE REGISTRATION/TITLES	REP. VEZEY	DIED S. STA	Dead per sponsor
*HB 211	VOTER REGISTRATION	REP. BUNDE	CH. 86 SLA 96	SCS CSHB 211 (FIN)
*HB 249	MCGRATH ICE CLASSIC	REP. NICHOLIA	CH. 98 SLA 96	CSHE 249(L&C)
*HB 312	EXTEND REVIEW/REPORT RE: SUBSISTENCE	REP. PHILLIPS	CH. 130 SLA 96	CSHB312 (RES) AM
HB 321	DMV EMPLOYEES DISASTER SERVICE	MVA CMTE	DIED S. STA	CSHB 321 (MVA)
*HB 359	CONFIRMATION OF BOARD, COMMISSION MEMBER	REP. PORTER	CH. 80 SLA 96	SCS CSHB359(L&C)
*HB 364	AMENDING THE ELECTION CODE	REP. BUNDE	CH. 87 SLA 96	CSHB 364(JUD)AM
*HB 365	POSSESSION OF TOBACCO BY A MINOR	REP. BUNDE	DIED S. JUDICIARY	moved out 4/2/96
*HB 384	PIONEER HOME - INABILITY TO PAY	REP. BUNDE	CH. 90 SLA 96	CSHE 384(HES) AM
*HB 419	DISPOSAL OF FIREARMS	REP. KOTT	CH. 13, SLA 96	CSHE 419(STA) AM S (SB 219)
HB 437	JUDICIAL OFFICER COMPENSATION	H. JUDICIARY COMM.	DIED S. FINANCE	CSHB 437(FIN)
*HB 482	STATE PROCUREMENT PRACTICES	RULES/GOV	CH. 137 SLA 96	SCS CSHB 482(FIN)
*HB 490	BIDCO SUNSET DATE EXTENSION	REP. B. DAVIS	CH. 114 SLA 96	SCS HB490(STA)
*HB 526	AIDEA OPERATIONAL PROJECTS/LOANS	H. L&C	CH. 111 SLA 96	SCS CSHB 526(FIN)AM S
HB 542	BOARD OF FISHERIES	H C&RA	DIED S. STA	CSHE 542(FSH)
HCR 1	LONG RANGE FINANCIAL PLANNING COMMISSION	REP. PHILLIPS	LEGIS. RESOLVE 6	SCS CSHCR 1(STA) AM S
HCR 5	PEARL HARBOR REMEMBRANCE DAY	CTME MVA	LEGIS. RESOLVE 13	HCR 3

SENATE STATE AFFAIRS STATUS

BILLS THROUGH SENATE STATE AFFAIRS				
1995-1996			Note: "*"=1996 action	
BILL #	NAME	SPONSOR	FINAL STATUS	FINAL VERSION
HCR 8	WOMEN'S HISTORY MONTH	REP. B. DAVIS	LEGIS. RESOLVE 11	HCF 8
HCR 11	MARCH 1995 SOBRIETY AWARENESS MONTH	REP. NICHOLIA	LEGIS. RESOLVE 8	HCF 11
*HCR 25	MAY 15, 381ST INTELL. SQUAD. LOGISTICS DAY	HSCMVA	LEG. RESOLVE 65	HCF25(AM)
*HCR 32	YUKLA 27 Remembrance Day	HSCMVA	LEG. RESOLVE 49	Schedule 4/11
HJR 9	FED. SUIT POW/MIA	REP. JAMES	LEGIS. RESOLVE 31	CSHJR 9(JUD)
*HJR 20	CONFERENCE OF STATES/APPROVE 10TH AM.	REP. BARNES	LEG. RESOLVE 70	STRIPPED; SCS CSHJR20(STA)
HJR 22	USSR/ALASKA BOUNDARIES	REP. VEZEY	DIED SENATE RULES	CSHJR 22 (STA)
HJR 39	RELATING TO NORTHERN SEA ROUTE	WORLD TRADE CMTE	LEGIS RESOLVE 21	HJR 39
*HJR 47	CONTINUE FUNDING FOR ANG YOUTH CORPS PGM	REP. BRICE	DIED SENATE FLOOR	CSHJR 47(STA)
HJR 48	KENAI PEN. SUBSISTENCE PROPOSAL	REP. NAVARRE	H AWAIT CONC/REC=DEAD	CSHJR 48(RES)AM S
*HJR 61	ANCHORAGE VETS AFFAIRS OFFICE	HSCMVA	LEG. RESOLVE 64	HJR 61
SENATE LEGISLATION THROUGH SENATE STATE AFFAIRS COMMITTEE 1995-1996				
SB 1	STATE IMPLEMENTATION OF FED. STATUTES	SEN. TAYLOR	VETOED 6/16/95	HCS SB 1(FIN)
SB 4	JUVENILE ARREST FOR ALCOHOL	SEN. TAYLOR	DIED S. JUDICIARY	SSSB 4
SB 5	ELECTION LAW/ADMINISTRATION	SEN. KELLY	CH. 58 SLA 95	HCS CSSB 5(FIN)
*SB 6	SUSPEND DRIVERS LIC/TRAFFIC OFFENSES	SEN. TAYLOR	CH. 47, SLA 96	FCCS SB 6
SB 9	RETIREMENT CREDIT SVS/BENEFITS	SEN DUNCAN	DIED S. STA	SB 9
SB 19	LEGISLATIVE SESSIONS IN ANCHORAGE	SEN. PHILLIPS	DIED S. RULES	CS SSSB 19 (FIN) (FLD S)
SB 23	AMENDING PENALTIES FOR ASSAULT	SEN. SALO	DIED S. STA	SB 23
SB 24	PERS BEN. JUV. INST. EMPLOYEES	SEN. DUNCAN	DIED S. STA	SB 24
SB 33	STATE INCOME TAX ON PERSONAL INCOME	SEN. LINCOLN	DIED S. STA	SB 33
SB 34	MARINE PARKS ADDITIONS/CHANGES	SEN. DUNCAN	DIED S. STA	SB 34
SB 35	DEPOSITS TO BUDGET RESERVE FUND	SEN. PHILLIPS	DIED S. STA	SB 35
SB 40	APPROPS. FROM AHFC	SEN. SHARP	DIED S. FINANCE	SB 40
SB 51	DISPOSITION OF PERMANENT FUND INCOME	SEN. REGER	WITHDRAWN BY SPONSOR	SB 51
SB 54	ELECTRIC UTILITY SERVICE/APUC	S. L&C BY REQUEST	DIED H. CRA	CSSE 54 (RLS) AM
SB 71	DEEP FREEZE CLASSIC	SEN. LINCOLN	CH. 104, SLA 95	CSSFI 71(FIN)
SB 72	VOLUNTEERS/EMPLOYEES OF NON-PROFITS	SEN. FRANK	DIED S. STA	SB 72
SB 85	1995 REVISORS BILL	RULES/LEG.COUNCIL	CH. 23, SLA 95	CSSFI 85(JUD) AM

SENATE STATE AFFAIRS STATUS

BILLS THROUGH SENATE STATE AFFAIRS				
1995-1996			Note: ""=1996 action	
BILL #	NAME	SPONSOR	FINAL STATUS	FINAL VERSION
*SB 89	PERMANENT FUND BOARD MEMBERS/STAFF	SEN. RIEGER	VETOED 1996	HCS CSSB 89 (FIN)
SB 90	PUBLIC OFFICERS COMP. COMMISSION	RULES/REQ.	DIED S. STA	SB 90
SB 92	AHFC SUBJECT TO EXEC. BUDGET ACT	RULES/LBA	CH. 88, SLA 95	HCS SB 92(FIN)
SB 110	ADMINISTRATIVE ADJUDICATIONS	RULES/GOV.	DIED S. JUD.	SB 110
SB 118	TAX CREDIT/GIFTS TO PUBLIC BROADCASTING	SEN. TORGERSON	DIED S. STA	SEE HB 269 IN SEN. FIN. 4/95
SB 120	STATE VA HOME FACILITIES	SEN. TORGERSON	DIED S. FIN.	SB 120
SB 133	MANAGEMENT FOR TERMINAL FISHERIES	SEN. ADAMS	DIED S. STA.	SB 133
SB 135	PFD NOTICES/ELIGIBILITY	S. FINANCE	VETOED 6/16/95	HCS SB 135(FIN)AM H(EFD FLD S)
*SB 136	APPROP. FY 97 CAPITAL PROJECTS	RULES/GOV.	CH. 123 SLA 96	HCS 2D CSSB 136(FIN) AM H(BRF
SB 139	LEGISLATIVE PER DIEM	SEN. SALO	DIED S. STA	
SB 141	LEGISLATIVE/EXECUTIVE ETHICS	RULES/LEG. COUNCIL	DIED H. FINANCE	CSSB 141 (RLS) AM
SB 142	HUMAN RESOURCES INVESTMENT COUNCIL	RULES/GOV.	CH. 61, SLA 95	HCS CSSB 142(FIN)
SB 143	AHFC TRANSFERS TO GF; BONDS	RULES/GOV.	DIED S. FINANCE	SB 143
SB 144	FINANCING REPAIR/REHAB OF U AK BLDGS.	RULES/GOV.	DIED S. FINANCE	SB 144
SB 146	ELECTION CODE/ADMINISTRATION	SEN. KELLY	DIED S. FINANCE	SB 146
SB 150	DUTCH HARBOR REMEMBRANCE DAY	SEN. KELLY	CH. 38, SLA 95	SB 150
*SB 163	APPROVE UA DEBT FOR STUDENT HOUSING	SEN. KELLY	CH. 26, SLA 96	CSSB 163(FIN) (TITLE AM)
SB 169	SNOW MACHINE CLASSICS	SEN. FRANK	DIED S. STA.	SEE SB 71, CH. 104, SLA95
SB 173	NATURAL DISASTER LAND EXCHANGES	SEN. TAYLOR	DIED S. STA.	SB 173
*SB 177	CONCEALED HANDGUN PERMITS/GUNS ON FERRY	SEN. GREEN	VETOED 1996	HCS CSSB 177(FIN) AM H
*SB 181	BUSINESS SIGNS/OUTDOOR ADVERTISING	SEN. GREEN	VETO SUSTAINED 1996	CS SSSB 181(FIN)
SB 182	ELECTIONS ADMINISTRATION/VOTER REG.	RULES/GOV.	DIED S. FIN.	SB 182
SB 183	LEGISLATORS SPOUSE CANT LOBBY LEGISLATURE	SEN. TAYLOR	DIED S. STA	SB 183
SB 185	CHILDRENS IMMUNIZATION RECORDS	SEN. KELLY	DIED S. STA	SB 185
*SB 191	ELECTION CAMPAIGN FINANCE REFORM	SEN. KELLY	CH. 48 SLA 96	HCS CSSB 191(FIN) AM H
SB 196	NAMING FERRY VESSEL KONIAG	SEN. ZHAROFF	DIED H. RESOURCES	SB 196
SB 203	TASK FORCE ON RECYCLING INDUSTRIES	SEN. DUNCAN	DIED S. FINANCE	SB 203
SB 204	TEACHER TENURE/LAYOFF/RIGHTS/BARGAINING	RULES/GOV.	DIED S. STA(SEE HB 354,41	SB 204
SB 205	MOTOR VEHICLE THEFT	RULES/GOV.	DIED S. STA. (SEE HB 75)	
SB 207	REVENUE BONDS/WATER/WASTE PROJECTS	RULES/GOV.	DIED S. FINANCE	SB 207
SB 210	INCREASE TOBACCO TAX	SEN. ELLIS	DIED H. STA	CSSB 210(STA)
*SB 211	SEXUAL ASSAULT ON VULNERABLE PEOPLE	SEN. ELLIS	CH. 61, SLA 96	HCS CSSB 211(JUD)
SB 214	APPROP. FOR MENTAL HEALTH	RULES/GOV.	DIED S. FINANCE	SB 214

SENATE STATE AFFAIRS STATUS

BILLS THROUGH SENATE STATE AFFAIRS				
1995-1996		Note: ***=1996 action		
BILL #	NAME	SPONSOR	FINAL STATUS	FINAL VERSION
SB 216	OMNIBUS STATE FEES/COST ASSESSMENTS	RULES/GOV.	DIED H RALES	CSSB 216(FIN)(TITLE AM)
SB 217	INCOME LIMITS FOR LONGEVITY BONUS	RULES/GOVERNOR	DIED S STA	SEE SB 304 (S STA)
SB 218	INCREASE NONUNION PUB. EMP. SALARIES	RULES/GOVERNOR	DIED S STA	SB 218
SB 219	DISPOSAL OF FIREARMS BY PUBLIC AGENCIES	SEN. MILLER	See HB 419	CH. 13, SLA 96 HB passed
SB 222	AIDEA OPERATIONS/PROJECTS LOANS	RULES/GOV.	See HB 482	CH. 111 SLA 96 HB passed
SB 231	TITLE INSURANCE	SEN REGER	DIED S STA	SB 231
SB 233	SR. CITIZEN/DIS. VET TAX EXEMPTION	RULES/LR/PC	DIED S STA	SB 233
SB 234	INCREASE TOBACCO TAXES	RULES/LR/PC	DIED S STA (SEE SB 210)	SB 234
SB 235	INCREASE ALCOHOL TAXES	RULES/LR/PC	DIED S STA	SB 235
SB 236	INCREASE MOTOR FUEL TAXES	RULES/LR/PC	DIED S STA	SB 236
SB 237	INCREASE MOTOR VEHICLE REGISTRATION FEE	RULES/LR/PC	DIED S STA	SB 237
*SB 256	SECOND CLASS CITY MAYOR	SEN. ADAMS	CH. 79 SLA 96	SB 256
*SB 266	CREAMER'S FIELD GOOSE CLASSICS	SEN. FRANK	CH. 11, SLA 96	SB 266
SB 273	NATIVE HANDICRAFTS	SEN. LINCOLN	DIED S FINANCE	CSSB 273 (L&C)
SB 275	STATE PROCUREMENT PRACTICES	RULES/GOV.	See HB 482	(CH. 137 SLA 96) HB passed
SB 280	MANDATORY INCORP. OF CERTAIN BOYHOODS	SEN. TORGERSON	DIED H STA	CSSB 280(FIN) AM
*SB 283	DOCUMENT FILING, INDEXING	RULES/GOV.	CH. 119 SLA 96	CSSB 283 (RLS)
SB 284	FOUR DAM POOL	RULES/GOV.	DIED H WTR	CSSB 284(RES)
SB 286	APPROP TO PF FROM BR/RES ACCT	SEN. DUNCAN	DIED S HESS	SB 286
SB 291	APPROPRIATION TO LONGEVITY BONUS FUND	SEN. ZHAROFF	DIED S STA	SB 291
SB 292	LONGEVITY BONUS	SEN. ZHAROFF	DIED S STA	SB 292
*SB 304	ELIGIBILITY FOR LONGEVITY BONUS	S. STA	CH. 50, SLA 96	CSSB 304(RLS) AM
SB 306	GO BONDS FOR CORRECTIONAL FACILITIES	RULES/GOV.	DIED S FINANCE	CSSB 306 (JUD)
*SB 310	1996 REVISOR'S BILL	RULES/LEG. COUNCIL	CH. 30, SLA 96	CSSB 310 (STA)
*SB 314	BREW/PUB LICENSES	SEN. HALFORD	See HB 372	Ch. 136 SLA 96 HB passed
SB 324	BINDING ARBITRATION RE: EMPLOYMENT DISC	SEN. JUDICIARY	DIED S STA	SB 324
SCR 2	REIMBURSEMENT FOR TRAVEL TO CAPITAL CITY	SEN. PHILLIPS	DIED S STA	SCR 2
SCR 3	LONG RANGE FINANCIAL PLANNING COMMISSION	SEN. PEARCE	DIED S STA	ANOTHER VERSION PASSED 1995
SCR 4	POET LAUREATE OF ALASKA	SEN. LEMAN	LEGIS. RESOLVE 3	SCR 4
SCR 10	29TH ANNUAL BOYS STATE	SEN. TORGERSON	LEGIS. RESOLVE 14	SCR 10
SCR 14	UA STUDENT HOUSING	SEN. KELLY	DIED S FINANCE	SCR 14
SCR 22	UNIFORM RULES HOURS OF DAILY SESSION	SEN. DONLEY	DIED S RULES	CS SCR 22
SCR 23	LONG RANGE FINANCIAL PLANNING	RULES/LR/PC	DIED H FLOOR	CSSCR 23 (STA) AM

SENATE STATE AFFAIRS STATUS

BILLS THROUGH SENATE STATE AFFAIRS				
1995-1996				
				Note: ""=1996 action
BILL #	NAME	SPONSOR	FINAL STATUS	FINAL VERSION
SJR 2	CONT. AMEND. SUBSISTENCE PREFERENCE	SEN HOFFMAN	DIED S STA	SJR 2
SJR 4	FED CONST. AM. RE. CAMPAIGN EXPENDITURES	SEN DONLEY	DIED S JUDICIARY	CS SJR 4 (STA)
SJR 11	LIMITING TERMS OF LEGISLATORS	SEN KELLY	DIED S JUDICIARY	SJR 11
SJR 13	RATIFYING FED. BALANCED BUDGET AMENDMENT	SEN PHILLIPS	DIED S FILES	SJR 13
SJR 14	CONFIRMATION OF BID MANAGING PERM FUND	SEN WALFORD	DIED S FILES	CS SJR 14 (FIN)
SJR 15	GOV/T/GOV. MUST RECEIVE 50% VOTE	SEN KELLY	DIED S FINANCE	SJR 15
SJR 16	LIMIT LEGISLATIVE SESSION TO 90 DAYS	SEN TAYLOR	DIED S STA	SJR 16
SJR 18	CREATION OF ARCTIC COUNCIL	SEN ADAMS	DIED H FLOOR	SCS SJR 18 (STA)
SJR 24	CHANGE TIMING OF VETO OVI:TRIDE	SEN DONLEY	DIED S JUD	CS S.R. 24 (STA)
SJR 25	PRISONER RIGHTS LIMITED TO FED RIGHTS	SEN DONLEY	DIED S JUD	SJR 25
SJR 26	ELECTION OF ATTORNEY GENERAL	SEN GREEN	DIED S STA	SJR 26
SJR 28	KEWA PENNELA / SUBSISTENCE PROPOSAL	SEN SALO	DIED S STA	HJR 18 (H) - waiting conc. 5/16/95
SJR 30	CONST. AMEND. BUDGET RESERVE FUND	FILES/ST/PC	DIED S STA	SJR 30
SJR 34	CONST. AMEND. PERMANENT FUND	FILES/ST/PC	DIED S STA	SEE HJR 55
SJR 36	CONST. AMEND. SENIOR BENEFIT FUND	SEN ZWIFF	DIED S STA	SJR 36
SR 1	DAY OF PRAYER IN ALASKA	SEN TAYLOR	SENATE RESOLVE 1	SR 1
SR 3	CONVERSION OF ADAK NAVAL AIR FACILITY	SEN KELLY	SENATE RESOLVE 3	SR 3
LEGISLATION PASSED 1995-1996 W/ S. STA. ACTION				
1995	HOUSE BILLS		12	
1996	HOUSE BILLS		20	
1995	SENATE BILLS		12	
1996	SENATE BILLS		14	
TOTAL PASSED BILLS:			61	
TOTAL BILLS DIED #1 COMMITTEE:			38	
TOTAL BILLS THROUGH COMMITTEE 1995-96:			143	

SENATE STATE AFFAIRS COMMITTEE
1995-1996 COMMITTEE FILES

* - PASSED LEGISLATION

- NO BILL FILES

HOUSE BILLS

HB 4 PFD ELIGIBILITY
*HB 10 PAYMENT OF COSTS OF DWI ACCIDENTS
*HB 13 CAMPAIGN FILINGS DISCLOSURES
*HB 42 ABSENTEE VOTING USE OF FAX
*HB 44 GAMING PROCEEDS DEFINE CHARITABLE ORGNS (VETOED)
HB 58 CHICKALOON FLATS CRITICAL HABITAT AREA
*HB 63 DOG MUSHING VANITY PLATES
*HB 74 ASSAULT BY ADULTS ON CHILDREN
*HB 90 CONVENING LEGISLATURE AFTER GOV ELECTION
*HB 164 ESTABLISH PEARL HARBOR DAY
*HB 173 REPORTS TO THE LEGISLATURE
*HB 179 LIMIT TERM OF COMM OF EDUCATION FISH & GAME
HB 192 AHFC HOUSING LOANS
*HB 198 ALLOWABLE ABSENCES FOR PFD
HB 210 PRIVATE MOTOR VEHICLE LICENSING TESTING
*HB 211 VOTER REGISTRATION ELECTIONS
*HB 249 MCGRATH KUSKOKWIN RIVER ICE CLASSIC
*HB 312 EXTEND CURRENT SUBSISTENCE LAW
HB 321 EMERGENCY DISASTER HIRES IN EXEMPT SERVICE
*HB 359 APPOINTMENT PROCESS FOR BOARDS COMM
*HB 364 ELECTION CRIMES INTERFERENCE W VOTING
*HB 384 PIONEER HOME - INABILITY TO PAY
*HB 419 DISPOSAL OF FIREARMS
HB 437 JUDICIAL OFFICERS COMPENSATION COMMISSION
*HB 490 FINANCIAL ASSISTANCE TO BIDCO
*HB 526 AIDEA OPERATIONS PROJECTS LOANS
HB 542 BOARD OF FISH VOTING ETHICS
*HCR 1 LONG RANGE FINANCIAL PLANNING COMMISSION
*HCR 5 PEARL HARBOR REMEMBRANCE DAY
*HCR 8 WOMEN'S HISTORY MONTH
*HCR 11 SOBRIETY AWARENESS MONTH MARCH 1995

- *HCR 25 381ST INTELL. SQUADRON DIV. DAY
- *HJR 9 SUIT RE: POWS/MIAs AGAINST US/OTHERS
- *HJR 10 SUPPORT 10TH AMENDMENT ENFORCEMENT ACT
- HJR 22 ALASKA/RUSSIA MARITIME BOUNDARY

- *HJR 39 NORTHERN SEA ROUTE DEVELOPMENT
- HJR 47 ALASKA NATL GUARD YOUTH CORPS CHALLENGE PROG.
- HJR 48 KENAI PENINSULA SUBSISTENCE PROPOSAL
- *HJR 61 ANCHORAGE VET AFFAIRS OFFICE
- *HJR 32 YUKLA 27 REMEMBRANCE DAY

SENATE BILLS

- *SB 1 REVIEW OF FEDERALLY MANDATED PROGRAMS (VETOED)
- SB 4 UNDERAGED DRINKING
- *SB 5 ELECTION LAW/ELECTION ADMINISTRATION
- *SB 6 SUSPENSION OF DRIVER'S LICENSE
- ##SB 9 RETIREMENT CREDITED SERVICE/BENEFITS
- SB 19 LEGISLATIVE SESSIONS IN ANCHORAGE
- SB 23 AMENDING PENALTIES FOR ASSAULT
- ##SB 24 JUVENILE CORRECTIONAL INST EMPLOYEES AS POS
- ##SB 33 STATE INCOME TAX ON PERSONAL INCOME
- ##SB 34 MARINE PARKS ADDITIONS/CHANGES
- ##SB 35 DEPOSITS TO THE BUDGET RESERVE FUND
- SB 40 APPROP ANFC TO GF
- SB 51 DISPOSITION OF PERMANENT FUND INCOME
- SB 54 ELECTRIC UTIL. SERVICE/APUC
- *SB 71 DEEP FREEZE CLASSIC
- ##SB 72 CIVIL LIABILITY OF NONPROFITS
- *SB 85 REVISOR'S BILL
- *SB 89 PF BOARD MEMBERS
- SB 90 ESTABLISHING PUBLIC OFFICER'S COMPENSATION COMM
- *SB 92 ANFC ACTIVITIES EXEC BRANCH
- SB 110 ADMINISTRATIVE ADJUDICATIONS
- SB 118 PUBLIC RADIO-TV TAX CREDITS
- SB 120 OPERATION OF STATE VET HOMES
- ##SB 133 MANAGEMENT FOR TERMINAL FISHERIES
- *SB 135 PFD ELIGIBILITY (VETOED)
- *SB 136 FY 97 CAPITAL PROJECTS

##SB 139 LEGISLATIVE PER DIEM
SB 141 LEGISLATIVE ETHICS
*SB 142 ALASKA HUMAN RESOURCE INVESTMENT COUNCIL
SB 143 AHFC TRANSFERS TO GF BONDS
SB 144 FINANCING REPAIR/REHAB OF UA BLDGS
SB 146 ELECTION CODE ADMINISTRATION
*SB 150 DUTCH HARBOR REMEMBRANCE DAY
SB 163 APPROVE UA DEBT FOR STUDENT HOUSING
##SB 169 SNOW MACHINE CLASSICS
##SB 173 NATURAL DISASTER LAND EXCHANGES
*SB 177 CONCEALED HANDGUN PERMITS
*SB 181 TOURIST ORIENTED DIRECTIONAL SIGNS
SB 182 ELECTIONS ADMINISTRATION/VOTER REGISTRATION
##SB 183 LEGISLATIVE SPOUSE LOBBYING MORATORIUM
##SB 185 IMMUNIZATION RECORD UPON CHILD'S DEATH
*SB 191 ELECTION CAMPAIGN FINANCE REFORM
SB 196 NAMING FERRY KONIAG
SB 203 TASK FORCE ON RECYCLING INDUSTRIES
##SB 204 TEACHER TENURE/LAYOFF/RIGHTS BARGAINING
##SB 205 MOTOR VEHICLE THEFT
SB 207 REVENUE BONDS/WATER/WASTE PROJECTS
SB 210 INCREASE TOBACCO TAX
*SB 211 VULNERABLE PEOPLE
##SB 214 APPROPRIATIONS FOR MENTAL HEALTH
SB 216 OMNIBUS STATE FEES/COST ASSESSMENTS
SB 217 INCOME LIMITS FOR LONGEVITY BONUS
SB 218 INCREASE NONUNION PUBLIC EMPLOYEE SALARIES
SB 219 DISPOSAL OF FIREARMS BY PUBLIC AGENCIES
SB 222 AIDEA OPERATIONS/PROJECTS/LOANS
SB 231 TITLE INSURANCE
##SB 233 SR. CIT/DISABLED VET TAX EXEMPTION
SB 234 TOBACCO TAX
##SB 235 ALCOHOLIC BEVERAGE TAX
##SB 236 GAS TAX
##SB 237 MOTOR VEHICLE REGISTRATION FEE
*SB 256 SECOND CLASS CITY MAYOR
*SB 266 CREAMER'S FIELD GOOSE CLASSICS
SB 273 NATIVE HANDICRAFTS/INSTATE PRODUCTS
SB 275 STATE PROCUREMENT PRACTICES
SB 280 MANDATORY INCORPORATION OF CERTAIN BOROUGHES

*##SB 283 DOCUMENT FILING/INDEXING/RECORDING

##SB 284 FOUR DAM POOL

##SB 286 PF APPROP. FROM BR/RES. ACCT.

##SB 291 LB FUND APPROPRIATION

##SB 292 LB FUND AND PROGRAM

*SB 304 LB ELIGIBILITY

SB 306 GO BONDS FOR CORRECTIONAL FACILITIES

*SB 310 REVISORS BILL

##SB 324 CIVIL ARBITRATION/PUNITIVE DAMAGES

*SR 1 DAY OF PRAYER IN ALASKA

*SR 3 CONVERSION OF ADAK NAVAL AIR FACILITY

SCR 2 REIMBURSEMENT FOR TRAVEL TO CAPITAL CITY

SCR 3 LONG RANGE FINANCIAL PLANNING COMMISSION

*SCR 4 POET LAUREATE OF ALASKA

*SCR 10 TWENTY-NINTH ANNUAL BOYS' STATE

SCR 14 UNIVERSITY OF ALASKA STUDENT HOUSING

SCR 22 UNIFORM RULES HOURS OF DAILY SESSION

SCR 23 LONG RANGE FINANCIAL PLANNING

##SJR 2 SUBSISTENCE PREFERENCE CONSTITUTIONAL AMEND

SJR 4 FED. CONST. AM. RE CAMPAIGN EXPENDITURES

SJR 11 LIMITING TERMS OF LEGISLATORS

SJR 13 RATIFYING RED BALANCED BUDGET AMENDMENT

SJR 14 CONFIRMATION OF BD MANAGING PFD

SJR 15 GOV/LT. GOV. MUST RECEIVE 50% VOTE

SJR 16 LEGISLATIVE SESSION 90 DAY LIMIT

SJR 18 CREATION OF ARCTIC COUNCIL

SJR 24 CHANGE TIMING OF VETO OVERRIDE

SJR 25 PRISONER RIGHTS LIMITED TO FEDERAL RIGHTS

##SJR 26 ELECTION OF ATTORNEY GENERAL

SJR 28 KENAI PENINSULA SUBSISTENCE PROPOSAL

##SJR 33 CONSTITUTIONAL BUDGET RESERVE FUND

##SJR 34 CONSTITUTIONAL AMENDMENT PERMANENT FUND

##SJR 36 CONSTITUTIONAL AMENDMENT SENIOR BENEFIT FUND

CONFIRM.

SHADDDY

APOC



Alaska State Legislature

Session
State Capitol
Juneau AK 99801-1152

Senate State Affairs

REPORT ON

CONFIRMATION OF APPOINTMENTS

February 14, 1995

The Honorable Drue Pearce
President of the Senate
State Capitol
Juneau, AK 99801-1182



Dear Madam President:


The Senate State Affairs Committee reviewed the following with regard to confirmation of the Governor's appointments:

Dept. of Administration - Commissioner designee Mark Boyer

and reports their recommendations as follows:

Respectfully,

	<i>No-Rec</i>		<i>No R</i>
Senator, Chairman	Rec.	Senator	Rec.

	<i>No Rec</i>	_____	_____
Senator	Rec.	Senator	Rec.

_____	_____
Senator	Rec.



Alaska State Legislature

State Capitol
Juneau AK 99801-1182

Senate State Affairs

REPORT ON

CONFIRMATION OF APPOINTMENTS

February 14, 1995

The Honorable Drue Pearce
President of the Senate
State Capitol
Juneau, AK 99801-1182


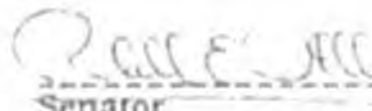

Dear Madam President:

The Senate State Affairs Committee reviewed the following with regard to confirmation of the Governor's appointments:

Dept. of Corrections - Commissioner designee Margaret Pugh

and reports their recommendations as follows:

Respectfully,

 ----- Senator, Chairman	<i>No Rec</i> ----- Rec.	 ----- Senator	<i>No Rec</i> ----- Rec.
 ----- Senator	<i>No Rec</i> ----- Rec.	----- Senator	----- Rec.
----- Senator	----- Rec.		



Alaska State Legislature

Senate State Affairs

Session
State Capitol
Juneau AK 99801-1182

REPORT ON

CONFIRMATION OF APPOINTMENTS

February 14, 1995

The Honorable Druc Pearce
President of the Senate
State Capitol
Juneau, AK 99801-1182

Dear Madam President:

The Senate State Affairs Committee reviewed the following with regard to confirmation of the Governor's appointments:

Personnel Board Peter S. Hallgren

and reports their recommendations as follows:

Respectfully,

Bob Kopp Do Confirm *Bill Kopp*
Senator, Chairman Rec. Senator Rec.

Alvin Johnson Do Confirm - Outstanding Choice
Senator Rec. Senator Rec.

Senator Rec.



Alaska State Legislature

Senate State Affairs

Session:
State Capitol
Juneau AK 99801-1182

REPORT ON

CONFIRMATION OF APPOINTMENTS

February 14, 1995

The Honorable Drue Pearce
President of the Senate
State Capitol
Juneau, AK 99801-1182

Dear Madam President:


The Senate State Affairs Committee reviewed the following with regard to confirmation of the Governor's appointments:

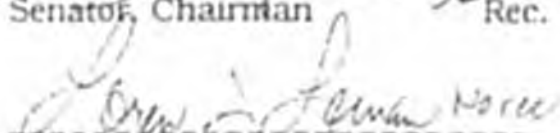
Dept. of Public Safety - Commissioner designee Ron Otte

and reports their recommendations as follows:

Respectfully,


Senator, Chairman Rec.


Senator Rec.


Senator Rec.

Senator Rec.

Senator Rec.



Alaska State Legislature

Session:
State Capitol
Juneau AK 99801-1182

Senate State Affairs

Interim:
716 W 4th Avenue
Anchorage AK 99501-2133

March 7, 1996

The Senate State Affairs Committee has reviewed the qualifications of the following individual and recommends the appointments be forwarded to a joint session for consideration:

Mary Beth Shaddy
as a member of the Alaska Public Offices Commission

This report does not reflect an intent by any of the members to vote for or against the named individual during any further session for the purposes of confirmation.



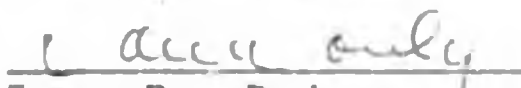
Senator Bert Sharp, Chairman



Senator Randy Phillips, Vice-Chairman



Senator Loren Leman



Senator Dave Donley

Senator Jim Duncan



OFFICIAL BUSINESS

#2

Alaska State Legislature

Senate

Office of the Secretary

STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3701
FAX: 465-2832

February 2, 1996

MEMORANDUM

TO: Senator Sharp, Chair
State Affairs Committee

FROM: Nancy Quinto *na*
Secretary of the Senate

SUBJECT: Governor's Confirmations

Pursuant to AS 39.05.080, President Pearce has referred the following name for legislative confirmation to your committee for a hearing, recommendation and report:

Alaska Public Offices Commission
Mary Beth Shaddy - Anchorage
Appointed: 01/30/96; Expires: 02/01/00

NQ/vsw

Resume attached

Mary Beth Shaddy - Anchorage, Alaska

Education

Degrees B.A. History and English, Creighton University (1973)
 M.L.A. Masters in Liberal Arts, Southern Methodist University with
 Alaska Pacific University (1985)

Professional Experience

1973-1975 English and Social Studies teacher, MacMillan Junior High
 School, Omaha Public Schools, Omaha, Nebraska.

1975-Present English teacher, A.J. Diamond High School. Subjects taught
 include Advanced Placement English, Shakespeare, Humanities,
 English 9, and English 10.

Political Experience

Registered Democrat since 1972

Alaska Democratic Party

Participant in my Democratic precinct and caucus meetings.
Worked as a volunteer for Knowles/Hensley Campaign 1990.
Unpaid staff (Anchorage Days Scheduler) for Knowles Campaign
during the 1994 Primary.

Anchorage Education Association (A.E.A.)

Co-chair of A.E.A. Political Action Committee for the past 4 years.
Coordinated phone banks, mailings, and fund raisers for pro-
education candidates; specifically Johnny Ellis, Judy Salo, Bettye
Davis, Jim Nordlund, David Finkelstein, Pat Abney, Mark Begich,
and Harriet Drummond, to mention a few.

Recognitions Served on Knowles/Ulmer Education Transition Team (1995).
 School Teacher Recognition Award 1990 from University of
 California, San Diego.
 Elected to be a delegate at National Education Association
 Political Action Conference (NEA-PAC) 1994 and 1995.

References Katie Hurley, P.O. Box 870157, Wasilla, AK 99687 (907)376-5736.
 Rob Pfisterer, 13210 Spendlove Drive, Anchorage, AK 99516
 (907) 274-0536.
 Deborah Bonito, P.O. Box 201627, Anchorage, AK 99520
 (907) 337-6748.

STATE OF ALASKA
Boards and Commissions

Membership Roster
PUBLIC OFFICES COMMISSION (087)

Member	Appointed	Reappointed	Term Exp.
James I. Adams APOC Nomination P.O. Box 594 Norne, AK 99762	03/07/94		02/01/99
Julie Benson Public/Restricted/I P.O. Box 75296 Fairbanks, AK 99707	05/17/93	01/18/94	02/01/98
Marj O'Reilly Public/Restricted/D 1611 Toyon Way Kenai, AK 99611	02/02/92		02/01/97
Danton J. Pearson Public/Restricted/D P.O. Box 336 Sitka, AK 99835	04/06/90		02/01/95
Sandra Stillion Public/Restricted/I 1170 Propwash Drive Fairbanks, AK 99709	06/06/91		02/01/95

STATE OF ALASKA
Boards and Commissions

PUBLIC OFFICES COMMISSION

BOARD: Alaska Public Offices Commission (APOC)

BOARD IDENTIFICATION NUMBER: 087

DEPARTMENT: Department of Administration

AUTHORITY: AS 15.13.020

STATUS: Active

REQUIREMENTS: Legislative Confirmation, Financial Disclosure

PROHIBITIONS: Limited to one full term (a person appointed to fill the unexpired term of a predecessor may be appointed to a successive full five-year term); may not hold or campaign for elective office or make contributions; see AS 15.13.020 (e) for additional restrictions.

TERM: 5 years

DESCRIPTION: 5 members appointed by the Governor: 2 from each of the two political parties whose candidate for the Governor received highest number of votes in the most recent preceding general election at which Governor was elected; from list of four names submitted by central committee of each party; 1 member nominated by majority vote of the members of the Commission; members elect chair; vacancies filled within 30 days.

FUNCTION: Administers laws upholding the public's right to know the financial affairs of lobbyists and their employers, and of candidates and public officials at the state and municipal level. Adopts regulations, issues formal advisory opinions, recommends legislative changes, adjudicates requests to reduce civil penalties assessed by staff for late filing of disclosure reports. Assesses penalties for substantial noncompliance with reporting requirements, recommends removal from the ballot or office in accordance with law, and adjudicates complaints through approval of settlements, civil penalty assessments, and through public hearings under the Administrative Procedure Act.

CHAIR: Board selects.

SPECIAL FACTS: Quorum - 3 members; biennial report to Legislature. Quasi-judicial, regulatory agency.

COMPENSATION: Standard Travel and Per Diem. Receive honorarium of \$50 per day.

MEETINGS: 4-6 times per year; 15 days maximum.

FOR FURTHER INFORMATION CONTACT:

Ms. Karen Boorman, Executive Director, Alaska Public Offices Commission, 2221 East Northern Lights Boulevard, Room 128, Anchorage, AK, 99508. Phone: 907 276 4176, Fax: 907 276 7018

- (e) A member of the commission, during tenure, may not
- (1) hold or campaign for elective office;
 - (2) be an officer of a political party, political committee or group;
 - (3) permit the member's name to be used, or make any contributions whatsoever, in support of or in opposition to a candidate or proposition or question that appears on any ballot in the state including but not limited to that of a municipality; however, contributions may be made to a candidate for the office of President of the United States;
 - (4) participate in any way in an election campaign or participate in or contribute to any political party; or
 - (5) lobby, employ or assist a lobbyist.
- (f) Members of the commission shall receive compensation of \$50 a day while attending commission meetings and shall be entitled to travel expenses and per diem authorized by law for members of other boards and commissions.
- (g) The members shall elect a chairman. Three members of the commission constitute a quorum. A vacancy does not impair the powers of the remaining members to exercise all of the powers of the commission.
- (h) A vacancy on the commission shall be filled through the appropriate appointing method for the position within 30 days after the occurrence of the vacancy. The appointee shall serve for the remaining term of the appointee's predecessor.
- (i) The commission may employ an executive director and other employees it considers necessary. Neither the executive director nor an employee may have a vote.
- (j) The commission shall establish an office, which may be called a regional office, in each senate district in the state to keep on file for public inspection copies of all reports filed with the commission by candidates for statewide office and by candidates for legislative office in that district; however, where one municipality contains more than one election district, only one commission office shall be established in that municipality. The regional office shall make all forms and pertinent material available to candidates. All reports shall be filed by candidates, groups and individuals directly with the commission's central district office. The commission shall ensure that copies of all reports by statewide and legislative candidates in each senate district are forwarded promptly to that district or regional office.
- (k) The commission shall ensure that copies of reports filed by candidates for municipal office are made available for public inspection in the appropriate municipality. (1 ch 76 SLA 1974, am § 23 ch 25 SLA 1975; am § 3 - 10 ch 189 SLA 1975, am E.O. No. 41 § 2 (1960), am § 24 ch 85 SLA 1968, am § 1 - 3 ch 14 SLA 1969)

Effect of amendments.
 amendment, effective Apr
 added the second sentence
 (a), substituted "nominate
 an individual to serve as the
 the remaining" in the first

- Sec. 15.13.030. Dis
- (1) develop and pro
 required to be made
 - (2) prepare and pub
 bookkeeping and rep
 ports and statements
 dates, groups, and ind
 this chapter;
 - (3) receive and ho
 ments required to be
 furnish copies at cost
 - (4) compile and ma
 nents;
 - (5) prepare a sum
 make copies of this
 actual cost;
 - (6) notify, by reg
 quest in filing rep
 chapter;
 - (7) report within
 and groups who ha
 this chapter to the
 - (8) examine, inve
 actions required by
 the attorney gene
 mission has subste
 AS 24.45 or AS 25
 - (9) prepare and p
 of the commission, t
 the attorney gene
 change, the comm
 available.
 - (10) adopt regul
 vations of AS 24.45
 sions of AS 44.02
 1974, am § 24 ch
 § 3 - 5 ch 167 S
 SLA 1995)

Effect of amendments. — The 1989 amendments added the second sentence in subsection (1), and substituted "through the appropriate appointing method for the position within 30 days after" for "by the appointing authority within 30 days after" in the first sentence and "of" in the first sentence in subsection (3).

Sec. 15.13.030. Duties of the commission. The commission shall

- (1) develop and provide all forms for the reports and statements required to be made under this chapter, AS 24.45, and AS 39.50;
- (2) prepare and publish a manual setting out uniform methods of bookkeeping and reporting for use by persons required to make reports and statements under this chapter and otherwise assist candidates, groups, and individuals in complying with the requirements of this chapter;

- (3) receive and hold open for public inspection reports and statements required to be made under this chapter and, upon request, furnish copies of and to interested persons;
- (4) compile and maintain a current list of all filed reports and statements;

- (5) prepare a summary of each report filed under AS 15.13.110 and make copies of this summary available to interested persons at their actual cost;

- (6) notify, by registered or certified mail, all persons who are delinquent in filing reports and statements required to be made under this chapter;

- (7) report within 60 days after the election the names of all persons and groups who have failed to comply with any of the provisions of this chapter to the office of the attorney general;

- (8) examine, investigate, and compare all reports, statements, and actions required by this chapter, AS 24.45, and AS 39.50 and report to the attorney general the names of all persons or groups that the commission has substantial reason to believe have violated this chapter, AS 24.45 or AS 39.50;

- (9) prepare and publish a biennial report concerning the activities of the commission, the effectiveness of this chapter, its enforcement by the attorney general's office, and recommendations and proposals for change; the commission shall notify the legislature that the report is available;

- (10) adopt regulations necessary to implement and clarify the provisions of AS 24.45, AS 39.50, and this chapter, subject to the provisions of AS 44.62 (Administrative Procedure Act) (1 ch 76 SLA 1974, am 1 24 ch 25 SLA 1975, am 11 12 ch 189 SLA 1975, am 11 3 - 5 ch 167 SLA 1976, am 1 2 ch 134 SLA 1990, am 1 16 ch 21 SLA 1995)

SB

1

FISCAL NOTE

Revision Date: January 30, 1995
 Title: An Act relating to state implementation of federal statutes
 Dept. Affected: Community & Regional Affairs
 BRU: Admin. & Support

Sponsor: Senator Taylor
 Requestor: Senate State Affairs Committee
 Component: Admin. Services
 COMPONENT SERIAL NO.: 664

Expenditures/Revenues: (Thousands of Dollars)

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING	43.5	26.8	27.6	28.4	29.2	30.0
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	2.0	1.0	1.0	1.3	1.0	1.0
SUPPLIES	0.5	0.3	0.3	0.3	0.3	0.3
EQUIPMENT	1.5					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	47.5	28.1	28.9	29.7	30.5	31.3

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE FUND SOURCE:						
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FUNDING (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	47.5	28.1	28.9	29.7	30.5	31.3
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	47.5	28.1	28.9	29.7	30.5	31.3

POSITIONS

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME	1	0	0	0	0	0
PART-TIME		1	1	1	1	1
TEMPORARY						

Estimate of current (FY95) impact \$ none

ANALYSIS: (Attach a separate page if necessary)
 One permanent full time Internal Auditor II, range 17, position is needed for 9.6 months for FY 96. Thereafter, the position will be needed part-time. Federal programs within DCRA include National Forest Receipts, FEMA, Child Care Block Grants, Head Start State Collaboration, Job Training Partnership Act, Community Block Grants, Rural Development Mini-Grant Program, Corporation for National and Community Service (Amencorps), Rural Development Council, Institutional Conservation Program, Federal Biomass Program, and the Alaska Coastal Zone Management Program.

Prepared by: Remond Henderson, Director
 Division: Division of Administrative Services
 Date: 1/30/95
 Phone: 465-4708
 Approved by: Commissioner *Remond Henderson for M. Taylor*
 Date: 1/30/95
 Agency: Community & Regional Affairs

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: _____ Dept. Affected: Fish and Game
 Title: State implementation of federal statutes BRU: Administration and Support
 Component: Commissioner's Office
 Sponsor: Senator Taylor
 Requester: Senate State Affairs COMPONENT SERIAL NO. 477

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	50.0	25.5	12.8	12.8	12.8	12.8
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	50.0	25.5	12.8	12.8	12.8	12.8

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 OF Match						
1004 GF	50.0	25.5	12.8	12.8	12.8	12.8
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	50.0	25.5	12.8	12.8	12.8	12.8

Estimate of any current year (FY98) cost: 0.0

POSITIONS

FULL-TIME	1					
PART-TIME		1	1	1	1	1
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: Gerrin Bruce Phone: 465-6143
 Division: Commissioner's Office Date: 1/24/95
 Approved by Commissioner: [Signature] Date: 1/24/95
 Agency: _____

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SB 1

Fiscal Note Analysis

Federal statutes and regulations have a major impact on the Department of Fish and Game. The department receives nearly \$30 million a year in federal funds for various programs, primarily from the federal aid programs for sport fishing and wildlife, and to partially offset costs to Alaska associated with the Pacific Salmon Treaty.

The large federal land holdings in Alaska also entail significant consequences for the management of Alaska's fish and wildlife. For example, restrictions on hunting and fishing activities within National Wildlife Refuges and National Parks concentrate effort onto the remaining state lands. A good example is the intention of the United States Park Service to ban subsistence hunting and fishing and commercial fishing within the waters of the Glacier Bay National Park.

Finally, the department is subject to federal statutes and regulations concerning due process and procedures, as are other agencies.

In order to carefully assess these federal mandates and their bearing on state costs and policies, the department will require a research analyst II. This position will be full-time the first year, half-time the second year, and quarterly thereafter. It would be established as an exempt position.

This position will work under the supervision of a deputy commissioner. It will be responsible for working with all divisions to identify relevant federal statutes, regulations and policies; analyze the impact of these for consistency with state statutes, regulations, and policies; analyze the federal measures for their impact on the cost of managing Alaska's fish and wildlife, and prepare a report for submission to the legislature.

A partial list of federal statutes, regulations, and policies that would need to be examined follows:

Federal Aid in Wildlife Restoration Act, Federal Aid in Sport Fish Restoration Act, Alaska National Interest Lands Conservation Act, Marine Mammal Protection Act, Endangered Species Act, Airborne Hunting Act, Migratory Bird Treaty Act, Magnuson Fishery Conservation and Management Act, National Environmental Policy Act of 1969, Tongass Timber Reform Act, National Forest Management Act of 1976, National Forest System Land and Resource Planning Regulations, Federal Power Act, Consolidated Omnibus Budget Reconciliation Act, Family and Medical Leave Act of 1993, Immigration Reform and Control Act of 1986, Fair Labor Standards Act, Equal Pay Act of 1963, Americans with Disabilities Act, Occupational Safety and Health Act.

We have to be a player in both the North Pacific and Pacific Fishery Management Council activities to protect state interests. Development and implementation of various fishery management plans require staff involvement that is not compensated. Various associated federal laws, such as the Paper Work Reduction Act and the Environmental Protection Act increase the tasks that must be performed when adopting and amending FMPs.

There are a number of international fisheries treaties and organizations that require our involvement to protect the state's interests: US/Canada Pacific Salmon Treaty (including Yukon R. negotiations), North Pacific Anadromous Fisheries Commission, US/Russia Intergovernmental Consultative Committee on Fisheries, Convention on Conservation and Management of Police Resource of the Central Bering Sea, North Pacific Marine Sciences Organization (PICES), and International Pacific Halibut Commission.

Federal Drug Administration Laws. We get involved in testing fish drugs for approval for use in hatcheries. Without our participation, it is most likely the needed research would not be conducted.

Federal Land Use Laws. These include such laws as the Wilderness Act and ANILCA. We get involved in development and application of these laws to protect the state's interests. We are also directly affected when the laws effect our programs, such field camps and hatcheries.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: An Act relating to state implementation of BRU: Administrative Services
federal statutes. Component: Commissioner's Office
 Sponsor: Taylor, Kelly, Halford, Sharp COMPONENT SERIAL NO. 317
 Requestor: S STA See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	77.4	80.3	83.3	86.4	89.7	93.0
TRAVEL	5.0	5.0	5.0	5.0	5.0	5.0
CONTRACTUAL	200.0	3.0	3.0	3.0	3.0	3.0
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	5.0	0.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	288.4	89.3	92.3	95.4	98.7	102.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGES IN REVENUES						
---------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	288.4	89.3	92.3	95.4	98.7	102.0
1005 GF Program Receipts						
1006 GF MHTIA						
Other (please specify)						
TOTAL	288.4	89.3	92.3	95.4	98.7	102.0

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

Estimate of any current year (FY96) cost: 90.0

ANALYSIS: (Attach a separate page if necessary)

A general scenario for implementation is that a Special Assistant will be required in the Commissioner's Office to coordinate the initial and on-going efforts related to this legislation. A contractor will be used for the initial review and implementation steps to avoid any additional state staffing; a Special Assistant in the Commissioner's Office will allow the avoidance of divisional biases in assessments, provide coordination among divisions, and assure consistency with departmental policy and direction.

An assumption is made that on-going efforts will be needed with respect to federal mandates despite current activity in Congress to reduce such phenomena. Position cost is assumed to grow at 3.75% per year. Support costs for the position will be held at the same level as FY96. Equipment costs are one-time costs for position support with no consideration for replacement. Future costs could be influenced by the extent of future federal mandates. Contractor costs are estimated at 25 weeks at \$200/hr.

Prepared by: Verne Skagerberg
 Division: Administrative Services
 Approved by Commissioner: Karen Ferder, Commissioner
 Agency: Department of Health & Social Services

Phone: 465-3331
 Date: 01/31/95
 Date: 2/1/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: _____ Dept. Affected: Department of Law
 Title: "An Act relating to state implementation of BRU: Legal Services
federal statutes . . . Component: Operations
 Sponsor: Senator Taylor
 Requester: Senate State Affairs COMPONENT SERIAL NO. 0093

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	150.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	150.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	150.0					
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	150.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill requires commissioners or agency heads of departments and agencies that administer programs that implement federal statutes that impose mandated duties on the state, to review all federal statutes, regulations, guidelines, and policies pertaining to the programs and to identify those provisions that are inconsistent with state policy or are not cost effective. The commissioners and agency heads are to prepare reports setting out their conclusions, and making recommendations for changes in federal law to make programs consistent with state policy or more cost efficient. The reports are to be submitted to the governor, and the Legislative Budget and Audit Committee.

The bill also provides that commissioners and agency heads authorized to develop a state program to respond to mandates contained in federal statutes shall, with the assistance of the Department of Law, review the applicable federal statutes, regulations, guidelines, and policies to determine whether the federal government has exceeded its constitutional authority to impose mandates on the state. If it is determined that

Prepared by: Richard I. Pegues, Director Phone: 465-3672
 Division: Administrative Services Division Date: 1/30/95
 Approved by Commissioner: Richard I. Pegues / R.I.P.
Bruce M. Botelley, Attorney General Date: 1/30/95
 Agency: Department of Law

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SP 1

ANALYSIS CONTINUATION:

the federal government may have exceeded its authority, a commissioner or agency head shall submit a written report to the governor and the Legislative Budget and Audit Committee setting out the basis for this determination.

The Department of Law will be extensively involved in determinations where federal mandates may have exceeded their constitutional authority. Initially, section supervisors and senior legal staff who are responsible for assisting the department's client agencies will provide a review of state-implemented, federally-mandated programs. This review will be under the supervision of the Deputy Attorney General for the civil division. The department will seek and employ expert outside counsel to conduct a second review of those federal mandates that the department believes may have exceeded the federal government's constitutional authority to impose on the state. Use of a constitutional law expert to make a second review, once the department's initial analysis has been completed, will be more efficient than hiring and training staff for this purpose. And it will insure that the high level of thoroughness required of an undertaking of this nature is provided.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO: SB 1

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act Relating to state implementation of BRU: Statewide
Federal Statutes Component: Administrative Services
 Sponsor: Sen. Taylor
 Requestor: House State Affairs COMPONENT SERIAL NO. 525

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

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	5.0	3.0	3.0	3.0	3.0	3.0
TRAVEL	1.0	1.0	1.0	1.0	1.0	1.0
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	6.0	4.0	4.0	4.0	4.0	4.0
CAPITAL EXPENDITURES	0	0	0	0	0	0
CHANGE IN REVENUES) <small>Revenue Code</small>	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

Estimate of current year (FY 96) impact: \$ 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

ANALYSIS: (Attach a separate page if necessary.)

See attached

Prepared By: Kan Bischoff *KLB* Phone: 465-4336
 Division: Administrative Services Date: 1/24/95
 Approved by Commissioner: Ronald L. Otte Date: 2/7/95
 Agency: Ronald L. Otte, Dept. of Public Safety

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Department of Public Safety
Fiscal Note Analysis
SB 1
Page 2 of 2

The annual review will require a person to establish a format and timetable, seek field input, compile responses from all programs, review with the Commissioner's Office, draw conclusions, make recommendations and issue the report.

Time will be required for followup on those federal issues pending or needing change to review with the Department of Law and to answer questions made by the legislature during its review defined in Section 37.40.020.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: _____ Dept. Affected: Revenue
 Title: Review of Federally Mandated Programs BRU: CSED, AHFC Operations
 Component: CSED, AHFC Operations
 Sponsor: Taylor, Kelly, Halford, Sharp
 Requester: (S)SA COMPONENT SERIAL NO. 111110

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	105.0	8.0	8.0	8.0	8.0	8.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	105.0	8.0	8.0	8.0	8.0	8.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

* 002 Federal Receipts	33.0	3.3	3.3	3.3	3.3	3.3
1003 GF Match	17.0	1.7	1.7	1.7	1.7	1.7
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other	55.0	3.0	3.0	3.0	3.0	3.0
TOTAL	105.0	8.0	8.0	8.0	8.0	8.0

Estimate of any current year (FY95) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

CSED: \$50.0 FY96, \$5.0 thereafter

A comprehensive review of all CSED's federal programs will be done in FY96 by CSED's assigned Assistant Attorney General or an outside contractor. Estimated costs for FY97 through FY01 would be for analysis of changes in mandated programs.

AHFC Operations: \$55.0 FY96, \$3.0 thereafter

A comprehensive review of all AHFC's federal programs will be done in FY96 by AHFC's assigned Assistant Attorney General. Estimated costs for FY97 through FY01 would be for analysis of changes in mandated programs.

Prepared by: Bob Baratko Phone: 465-2312
 Division: Administrative Services Division Date: 1/30/95
 Approved by: _____
 Commissioner: Deborah Vo... Date: 1/30/95
 Agency: Revenue

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FISCAL NOTE

Revision Date: 1/16/95

Department Affected:

DOT&PF

Title: "An Act relating to state implementation of federal statutes"

BRU:

D & C, M & O

Sponsor: Taylor, Keily, Halford, Sharp

Component:

D & C

Requestor: Jack Kreinbender, OMB

Component Serial Number:

547

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES	42.0	21.0	21.0	21.0	21.0	21.0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	5.0	0	0	0	0	0
SUPPLIES	3.0	1.5	1.5	1.5	1.5	1.5
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	50.0	22.5	22.5	22.5	22.5	22.5

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)

1002 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	50.0	22.5	22.5	22.5	22.5	22.5
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	50.0	22.5	22.5	22.5	22.5	22.5

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 (FY95) impact: None

ANALYSIS: (Attach a separate page if necessary)

The Department's major emphasis in reviewing Federal Requirements would be with Federal Highway Administration and Federal Aviation Administration along with federal building related issues. Alaska DOT/PF's reviews would have to include but not limited to the many and various requirements for such areas as: Clean Air, Clean Water, Wet Lands, Permitting, ADA, OSHA, EPA and the list goes on and on. As an example, attached is a listing of nineteen sanctions which can be applied to the Highway funding.

The first rough estimate of the effort would be 4 months (175hr/mo) by an technical engineer range 22 at cost of \$60/hr equals \$10,500/mo or \$42,000 for the first year plus some costs for supplies, \$3,000 and contract, \$5,000 which totals \$50,000. After the first the year, it would much be easier and is estimated at only two month of effort plus some minor supplies.

Prepared by: Loren Rasmussen

Phone: 465-2960

Division: Engineering and Operations Standards

Date: Feb. 2, 1995

Approved by Commissioner: Joseph E. Perkins, P.E.

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: Feb. 2, 1995

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: _____

Department Affected: Office of the Governor

Title: "An Act relating to state implementation of federal statutes."

BRU: All BRUs

Component: All Components

Sponsor: Senators Taylor, Kelly, Halford, Sharp

Requestor: _____

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 EXPENDITURES						
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CHANGE IN						
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FUND SOURCE

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

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: _____

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact

Prepared by: Michael A. Nitch, Director
Division: Director of Administrative Services

Phone: 465 3976
Date: 1/27/95

Approved by Commissioner: Jim Ayers, Chief of Staff
Agency: Office of the Governor

Date: 1/27/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: _____
 Title: "An Act relating to state implementation of federal statutes."
 Sponsor: Sen. Taylor
 Requestor: (S)STA

Department Affected: Administration
 BRU: Administrative Services
 Component: Administrative Services
 COMPONENT SERIAL NO. 46

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()	0	0	0	0	0	0
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FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	00	00	00	00	00	00

Estimate of any current year (FY 95) cost: \$ 0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact to the Department of Administration.

Prepared by: Sharon B. Iton, Director
 Division: Administrative Services

Phone: 465-2277
 Date: _____

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Date: 2/2/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: January 27, 1995
 Title: An Act relating to state implementation of federal statutes.
 Sponsor: TAYLOR, Kelly, Halford, Sharp
 Requestor: _____

Department: Commerce and Economic Development
 BRU: Administrative Services
 Component: Administrative Services
 COMPONENT SERIAL NO. 1028

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	00	00	00	00	00	00
CAPITAL EXPENDITURES	00	00	00	00	00	00
CHANGE IN REVENUES	00	00	00	00	00	00

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	00	00	00	00	00	00

Estimate of any current year (FY 95) cost: \$ 00

POSITIONS

FULL-TIME	
PART-TIME	
TEMPORARY	

ANALYSIS: (Attach a separate page if necessary)

There will be no fiscal impact to this agency.

Prepared by: Guy Bell, Director Phone: 465-2505
 Division: Division of Administrative Services Date: January 27, 1995
 Approved by Commissioner: William L. Hensley *Guy Bell* Date: 1/27/95
 Agency: Commerce and Economic Development

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: _____ Dept. Affected: _____
 Title: An Act related to state BAU: _____
implementation of federal statutes Component: _____
 Sponsor: Sen. Taylor
 Requester: Senate State Affairs COMPONENT SERIAL NO. _____

Expenditures/Revenues

(Thousands of Dollars)

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

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/AMTA						
Other						
TOTAL	00	00	00	00	00	00

Estimate of any current year (FY96) cost: \$ _____

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill would require each commissioner and agency head to review programs under it's purview to determine the effects, if any, that exist as a result of federal mandates on programs. It further provides a reporting protocol for the results of this review.

No federal mandates directly impact programs operated by DOC. Certain federal grants for which DOC could apply would be conditioned upon the existence of specific conditions within the State. For example some would require laws requiring certain classes of offenders to serve a minimum of 75% of their sentence. These do not seem to be mandates in the sense contemplated in this bill, however.

Prepared by: Jerry Shiner
 Division: Comm Office

Phone: 485-4640
 Date: 1/27/95

Approved by Commissioner: Wesley H. Parks
 Agency: (Department of Corrections)

Date: 1/27/95

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STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date _____ Dept. Affected EDUCATION
 Title An Act relating to state implementation of BRU Executive Administration
federal statutes Component Commissioner's Office

Sponsor Senator Taylor
 Requester Senator Taylor COMPONENT SERIAL NO. 185

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	00	00	00	00	00	00

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

1002 Federal Receipts						
1003 GF Match						
1004 GF	00	00	00	00	00	00
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	00	00	00	00	00	00

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary)

The department would need to reassign responsibilities among existing staff in order to develop an internal process to satisfy the requirements of the proposed legislation during the first year and for the annual review and report. If the current level of staff is reduced in the FY96 budget, the department may not be able to comply with the requirements or the timelines identified in SB 1.

Prepared by Karen J. Reifeld Director
 Division Administrative Services
 Approved by Commissioner
 Agency Department of Education

Phone 845-8650
 Date 28 Jan 95
 Date 1/30/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. 881

Revision Date: _____ Dept. Affected: EDUCATION
 Title: An Act relating to State Implementation BRU: ACPE
of federal statutes. Component: Student Loan Operations

Sponsor: Sen. Taylor
 Requestor: Governor Knowles COMPONENT SERIAL NO. 212

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY95	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	00	00	00	00	00	00

CAPITAL						
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REVENUE FUND SOURCE						
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FUNDING (Thousands of Dollars)

1002 Federal Receipts						
1003 Of Match						
1004 Of	00	00	00	00	00	00
1005 Of/Program Receipts						
1006 Of/MHTA						
Other:						
TOTAL	00	00	00	00	00	00

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: 0 00

ANALYSIS: (Attach a separate page if necessary)

Zero Fiscal Impact.

Prepared by: Dillon R. Hays
 Division: Alaska Commission on Postsecondary Education

Phone: 465-6740
 Date: Feb. 3, 1995

Approved by Executive Director: *John McInnis*
 Agency: ACPE

Date: Feb. 3, 1995

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gannnig@alaska.gov

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. _____ SBI _____

Revision Date: _____
Title: An act relating to state implementation
of federal statutes
Sponsor: Senator Taylor
Requestor: Senate State Affairs Committee

Department Affected: Environmental
Conservation
BRU: Administration
Component: Commissioner's Office

COMPONENT SERIAL NO. 633

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE:

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

Estimate of any current year (FY95) cost: \$ 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

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Larry Jones
Division: Information and Administrative Services

Phone: 465-5010
Date: 1/31/95

Approved by Commissioner: [Signature]
Agency: Department of Environmental Conservation

Date: 1-31-95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: 1/30/95 Dept. Affected: Fish and Game
 Title: State implementation of federal statutes BRU: Commercial Fisheries (Limited) Entry Commission
 Component: Limited Entry Program Administration
 Sponsor: Sen. Taylor
 Requester: Sen. Taylor COMPONENT SERIAL NO. 0471

(Thousands of Dollars)

Expenditures/Revenues	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING EXPENDITURES						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

(Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/AHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 The CFEC is currently defending the state's interest in limited entry permits against action by the Internal Revenue Service (IRS) in USA v. George Gatter and the State of Alaska, Commercial Fisheries Entry Commission. The IRS is demanding a transfer of a limited entry permit before state transfer requirements have been approved.

Prepared By: Roger Kolden Phone: 789-6100
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 1/30/95
 Approved by Commissioner: Frank Morgan Date: 1/30/95
 Agency: Commercial Fisheries (Limited) Entry Commission
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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 1

Revision Date: _____
Title: Review of federally mandated programs
Sponsor: Senator Taylor
Requestor: Sen-to State Affairs

Department Affected: Labor
BRU: Commissioner's Office
Component: Commissioner's Office

COMPONENT SERIAL NO. 340

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGE IN REVENUE FUND SOURCE #						
--	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ None

ANALYSIS: (Attach a separate page if necessary)
The review process required by Sec. 37.40.010 formalizes ongoing program review that currently takes place in the department. The reporting requirements would be implemented with minimal impact on the department's operating budget.

Prepared by: Arbe Williams, Director Phone: 455-5981
Division: Administrative Services Date: 2/1/95

Approved by Commissioner: Tom Cashen, Commissioner
Agency: Department of Labor Date: 2/1/95

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FISCAL NOTE

STATE OF ALASKA

BILL NO. SB1

1995 LEGISLATIVE SESSION

Revision Date: Original Dept Affected: Natural Resources
 Title: An Act relating to state implementation of federal statutes. BRU: Management & Administration
 Component: Commissioner's Office
 Sponsor: Senator(s) Taylor, Kelly, Halford, Sharp
 Requestor: _____ Component Serial No. 423

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ None

POSITIONS	FY96	FY97	FY98	FY99	FY00	FY01
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Implementation of SB1 will require approximately two man-months of time for the Department of Natural Resources on an annual basis. The majority of this time will be spent in the Division of Mining & Water and the Division of Forestry. All Divisions have indicated that the required tasks could be accomplished with existing staff and do not anticipate the need for additional staff at this time.

Prepared by: Nico Bus, Acting Legislative Liaison Phone: 465-2406
 Division: Commissioner's Office Date: 27-Jan-95
 Approved by Commissioner: Nico Bus Date: 2/1/95
 Agency: Natural Resources

SENATE COMMITTEE REPORT

First Committee of Referr

DATE: 1/16/95

FURTHER: Judiciary

Date of 5-Day Notice: 2/2/95
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: _____

State Affairs Committee considered SB 1

"An Act relating to state implementation of federal statutes."

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the FINANCE Committee

Senate Bill:

same title

new title

House Bill:

technical change

new: SCR# _____

SIGNING WITH RECOMMENDATIONS:	DP	DNP	NR	AM
<i>Roll E. Bell</i>	✓			
<i>Debra Daley</i>			✓	
<i>J. Duncan</i>				
CHAIR: <i>Scott King</i>	✓			

NEW FISCAL NOTE(S):

Department	Date	Zem	Fiscal
OCRA	1/30/95		47.5
FISH + GAME	1/24		50.0
DHSS	2/1		288.4
LAW	1/30		150.0
PUBLIC SAFETY	2/3		6.0
REVENUE	1/30		105.0

~~NEW~~ FISCAL NOTE(S):* FY96

Department	Date	Zem	Fiscal
DOT + PF	2/2		50.0
GOVERNOR	1/27	✓	
ADMINISTRATION	2/2	✓	
OCED	1/27	✓	
CORRECTIONS	1/27	✓	
EDUCATION	1/30	✓	
APP - ACPE	2/3	✓	

Alaska State Legislature

Chairman
Judiciary Committee

Vice Chairman
Transportation Committee

Member
Resources Committee
Western Legislative Councils, Inc. Office



State Capitol
600 W. Alaska 99501-1182
907-263-1873
907-263-1822

552 Front Street
Sitka, Alaska 99801
907-223-5055
907-223-0711

Senator Robin L. Taylor

SPONSOR STATEMENT

SENATE BILL 1

Before the Senate State Affairs Committee
February 7, 1995

Senate Bill 1 was introduced as a companion measure to SJR 7, the Tenth Amendment resolution which passed the Senate recently in an 18-1 vote. The resolution demands that Congress stop the practise of passing federal mandates which exceed Congressional authority under the Tenth Amendment.

Senate Bill 1 is an attempt to identify federal mandates, both statutory and regulatory, which conflict with State policy or exceed Constitutional limitation. Similar legislation, passed in Colorado last year, declares that the state government has an obligation to the public to do what is necessary to protect the rights of the citizens of the state under federal law while minimizing or eliminating any additional cost or regulatory burden.

To accomplish this goal, SB 1 would require an annual review by the executive branch of each program mandated by Congress. An annual report to the Governor and the Legislative Budget and Audit Committee would set out conclusions and make recommendations for changes in the federal law to make a program consistent with state policy or more cost effective. A determination could also be made, with the assistance of the Department of Law, on whether the mandate exceeds federal authority.

Sponsor Statement - SB1

2/7/95

Page Two

Section 1 of the bill finds that there is an urgent need to modify certain mandates because implementation of those mandates wastes the financial resources of the state, municipalities and residents and that federal regulators often do not understand the needs and priorities of Alaska.

SB1 also provides for legislative review of federal mandates. The Legislative Budget and Audit Committee would be charged with making recommendations to the Governor on the need to seek a change in the federal statute, regulation or policy suited to the needs of the state; suggest changes in the affected state program to implement the mandate more efficiently ; or to pursue the possibility of a legal challenge to the validity of the mandate.

Passage of SB1 will add credence to the Legislature's passage of SJR 7. It will tell the citizens of Alaska that we intend to protect their rights by countering notions of federalism which conflict with the intent of the Founding Fathers.

1994

**UNPROOFED ADVANCE
UNOFFICIAL COPY**

88

SENATE BILL 94-157

BY SENATORS Norton, R. Powers, Wells, Bird, Bishop, Hopper, Johnson, Meiklejohn, Rizzuto, Roberts, Schrueder, Tebedo, Traylor, and Wattenberg;
also REPRESENTATIVES Berry, Acquafresca, Adkins, Agler, Allen, Anderson, Chlouber, Epps, Fleming, George, Jerke, Kreutz, Lawrence, May, Moellenberg, Morrison, Owen, Pfiffner, Schauer, Taylor, and Tucker.

CONCERNING THE IMPLEMENTATION OF FEDERAL MANDATES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Title 24, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 78
Federal Mandates Act**

**PART 1
IMPLEMENTATION OF FEDERAL MANDATES**

24-78-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "FEDERAL MANDATES ACT".

24-78-102. Legislative declaration. (1) (a) IN ENACTING THIS ARTICLE, THE GENERAL ASSEMBLY EMPLOYS ITS LEGISLATIVE AUTHORITY TO ESTABLISH THAT THE PEOPLE OF THE STATE OF COLORADO, ACTING THROUGH THEIR ELECTED OFFICIALS IN COLORADO STATE GOVERNMENT, HAVE THE RESPONSIBILITY AND AUTHORITY TO ESTABLISH POLICY IN AND FOR COLORADO PERTAINING TO FEDERAL PROGRAMS MANDATED IN FEDERAL STATUTES.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) THE INTENT OF THE GENERAL ASSEMBLY IS TO ASSURE THE PRIMACY OF THE STATE OF COLORADO'S LEGAL AND POLITICAL AUTHORITY TO IMPLEMENT IN AND FOR COLORADO THE POLICY MANDATED BY FEDERAL STATUTES AND TO VIGOROUSLY CHALLENGE AND SCRUTINIZE THE EXTENT AND SCOPE OF AUTHORITY ASSERTED BY FEDERAL EXECUTIVE BRANCH AGENCIES WHEN FEDERAL AGENCY ACTIONS AND INTERPRETATIONS ARE INCONSISTENT WITH COLORADO POLICY AND EXCEED THE LAWFUL AUTHORITY OF THE FEDERAL GOVERNMENT OR ARE NOT REQUIRED BY FEDERAL LAW.

(c) IN THIS CONNECTION THE COLORADO GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(I) THE POWER TO IMPLEMENT FEDERAL POLICIES IN AND FOR COLORADO IS CENTRAL TO THE ABILITY OF THE PEOPLE OF COLORADO TO GOVERN THEMSELVES UNDER A FEDERAL SYSTEM OF GOVERNMENT; AND

(II) ANY IMPLEMENTATION OF FEDERAL POLICIES IN AND FOR COLORADO BY FEDERAL EXECUTIVE BRANCH AGENCIES THAT IS CONTRARY TO FUNDAMENTAL NOTIONS OF FEDERALISM AND SELF-DETERMINATION MUST BE IDENTIFIED AND COUNTERED.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

(a) THERE IS AN URGENT NEED TO MODIFY FEDERAL MANDATES BECAUSE THE IMPLEMENTATION OF THESE MANDATES BY THE STATE WASTES THE FINANCIAL RESOURCES OF LOCAL GOVERNMENTS, THE CITIZENS OF COLORADO, AND THE STATE AND DOES NOT PROPERLY RESPECT THE RIGHTS OF THE STATE, LOCAL GOVERNMENTS, AND CITIZENS.

(b) THE STATE GOVERNMENT HAS AN OBLIGATION TO THE PUBLIC TO DO WHAT IS NECESSARY TO PROTECT THE RIGHTS OF COLORADO CITIZENS UNDER FEDERAL LAW WHILE MINIMIZING OR ELIMINATING ANY ADDITIONAL COST OR REGULATORY BURDEN ON ANY CITIZEN OF THE STATE.

(c) THE TENTH AMENDMENT TO THE UNITED STATES CONSTITUTION DIRECTS THAT POWERS THAT ARE NOT DELEGATED TO THE UNITED STATES ARE RESERVED TO THE STATES OR TO THE PEOPLE. COLORADO, AS ONE OF THE SOVEREIGN STATES WITHIN THE UNION, HAS CONSTITUTIONAL AUTHORITY TO ENACT LAWS PROTECTING THE ENVIRONMENT OF THE STATE AND SAFEGUARDING THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF COLORADO. HOWEVER, THIS AUTHORITY HAS TOO OFTEN BEEN IGNORED BY THE FEDERAL GOVERNMENT, AS THE FEDERAL GOVERNMENT HAS INTRUDED MORE AND MORE INTO AREAS THAT MUST BE LEFT TO THE STATES. IT IS ESSENTIAL THAT THE DILUTION OF THE AUTHORITY OF STATE AND LOCAL GOVERNMENTS BE HALTED AND THAT THE PROVISIONS OF THE TENTH AMENDMENT BE ACCORDED PROPER RESPECT.

(d) CURRENT FEDERAL REGULATORY MANDATES, AS REFLECTED IN FEDERAL ADMINISTRATIVE REGULATIONS, GUIDELINES, AND POLICIES, OFTEN DO NOT REFLECT THE REALITIES OF THE ROCKY MOUNTAIN REGION, AND FEDERAL REGULATORS FREQUENTLY DO NOT UNDERSTAND THE NEEDS AND PRIORITIES OF THE CITIZENS OF COLORADO.

(e) THE CITIZENS OF THIS STATE CAN CREATE AND WISH TO CREATE INNOVATIVE SOLUTIONS TO COLORADO'S PROBLEMS, BUT THE CURRENT MANNER IN WHICH LEGAL CHALLENGES TO STATE POLICIES AND FEDERAL PROGRAMMATIC SUBSTITUTIONS OF STATE PROGRAMS ARE HANDLED DOES NOT ALLOW THE STATE THE FLEXIBILITY IT NEEDS. IT IS NOT POSSIBLE FOR THE STATE OF COLORADO TO EFFECTIVELY AND EFFICIENTLY IMPLEMENT THE PROVISIONS OF FEDERAL STATUTES UNLESS THE BURDEN TO PROVE THE INSUFFICIENCY OF THE STATE'S EFFORTS TO IMPLEMENT FEDERAL REQUIREMENTS IS SHIFTED TO THE PERSON OR AGENCY WHO ASSERTS SUCH INSUFFICIENCY.

(f) THE PROVISIONS OF THIS ARTICLE WILL BETTER BALANCE THE EXERCISE OF THE POWERS OF THE FEDERAL GOVERNMENT AND THE POWERS RESERVED TO THE STATES. IN ADDITION, THE APPLICATION OF THIS ARTICLE ULTIMATELY WILL BRING ABOUT GREATER PROTECTION FOR THE STATE AND THE NATION, BECAUSE IT WILL DIRECT THE STATE TO IMPLEMENT FEDERAL STATUTES AT THE LEAST POSSIBLE COST, THEREBY FREEING MORE MONEYS FOR OTHER NEEDS.

(g) THE PURPOSE OF THIS PART 1 IS TO ENSURE THAT FEDERAL MANDATES IMPLEMENTED IN COLORADO COMPLY WITH STATE POLICY AS ESTABLISHED BY THE GENERAL ASSEMBLY.

24-78-103. Definitions. AS USED IN THIS PART 1, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "EXECUTIVE COMMITTEE" MEANS THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL ESTABLISHED PURSUANT TO SECTION 2-3-301 (1), C.R.S.

(2) "FEDERAL STATUTE" MEANS A FEDERAL STATUTE THAT IS IN ACCORD WITH THE UNITED STATES CONSTITUTION IMPOSING MANDATES ON STATE OR LOCAL GOVERNMENTS, WHICH MAY INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING:

(a) THE FEDERAL "SAFE DRINKING WATER ACT", 42 U.S.C. SEC. 300f, ET SEQ., AS AMENDED;

(b) THE FEDERAL "CLEAN AIR ACT", 42 U.S.C. SEC. 7401, ET SEQ., AS AMENDED;

(c) THE "FEDERAL WATER POLLUTION CONTROL ACT", 33 U.S.C. SEC. 1251, ET SEQ., AS AMENDED;

(d) THE FEDERAL "SOLID WASTE DISPOSAL ACT", 42 U.S.C. SEC. 3251, ET SEQ., AS AMENDED;

(e) THE FEDERAL "RESOURCE CONSERVATION AND RECOVERY ACT OF 1976", 42 U.S.C. SEC. 6901, ET SEQ., AS AMENDED;

(f) THE FEDERAL "COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980", 42 U.S.C. SEC. 9601, ET

BY

SEQ., AS AMENDED;

(g) THE FEDERAL "SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF 1986", P.L. 99-499, AS AMENDED;

(h) THE FEDERAL "ENDANGERED SPECIES ACT OF 1973", 16 U.S.C. SEC. 1531, ET SEQ., AS AMENDED;

(i) THE FEDERAL ASBESTOS SCHOOL HAZARD ABATEMENT STATUTE, 20 U.S.C. SEC. 4011, ET SEQ., AS AMENDED;

(j) THE FEDERAL "BRADY HANDGUN VIOLENCE PREVENTION ACT OF 1993", P.L. 101-336, AS AMENDED;

(k) THE FEDERAL "COMMERCIAL MOTOR VEHICLE SAFETY ACT OF 1986", 49 U.S.C. SEC. 2501, AS AMENDED;

(l) THE FEDERAL "FAMILY AND MEDICAL LEAVE ACT OF 1993", P.L. 103-3, AS AMENDED;

(m) THE FEDERAL "EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT", P.L. 99-145 AND 99-499, AS AMENDED;

(n) THE FEDERAL, STATE, AND LOCAL PARTNERSHIP FOR EDUCATION IMPROVEMENT PROGRAM, 20 U.S.C. SEC. 1751, ET SEQ., AS AMENDED;

(o) THE FEDERAL "NATIONAL VOTER REGISTRATION ACT OF 1993", P.L. 103-31, AS AMENDED;

(p) THE FEDERAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM, 42 U.S.C. SECS. 1751 AND 1773, AS AMENDED;

(q) THE FEDERAL SOCIAL SERVICES AND MEDICAID REQUIREMENTS, 42 U.S.C. SEC. 1396, AS AMENDED;

(r) FEDERAL HIGHWAY SAFETY PROGRAMS;

(s) THE FEDERAL "INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991", P.L. 102-240, AS AMENDED.

(3) "JOINT BUDGET COMMITTEE" MEANS THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY ESTABLISHED PURSUANT TO SECTION 2-3-201 (1), C.R.S.

24-7C-104. State programs ~~of~~ implement federal statutes.
(1) ANY STATE OFFICER, OFFICIAL, OR EMPLOYEE CHARGED WITH THE DUTY OF IMPLEMENTING ANY FEDERAL STATUTE SHALL IMPLEMENT THE LAW AS REQUIRED BY THE FEDERAL STATUTE IN GOOD FAITH AND EXERCISING A CRITICAL VIEW TOWARD THE PROVISIONS OF ANY FEDERAL REGULATION, GUIDELINE, OR POLICY IN ORDER TO IDENTIFY THOSE PROVISIONS OF ANY FEDERAL REGULATION, GUIDELINE, OR POLICY THAT ARE INCONSISTENT WITH COLORADO POLICY OR DO NOT ADVANCE COLORADO POLICY IN A

COST-EFFECTIVE MANNER.

(2) ANY AGENCY OF THE EXECUTIVE DEPARTMENT OF STATE GOVERNMENT THAT IS AUTHORIZED TO DEVELOP A STATE PROGRAM TO RESPOND TO ANY MANDATES CONTAINED IN A FEDERAL STATUTE SHALL DEVELOP THE STATE PROGRAM AND PROMULGATE ANY NECESSARY REGULATIONS USING THE FOLLOWING CRITERIA:

(a) STATE PROGRAMS SHOULD BE DEVELOPED BY THE STATE AGENCY TO MEET THE REQUIREMENTS OF FEDERAL STATUTES IN GOOD FAITH WITH A CRITICAL VIEW TOWARD ANY FEDERAL REGULATIONS, GUIDELINES, OR POLICIES.

(b) STATE PROGRAMS SHOULD BE DEVELOPED WITH DUE CONSIDERATION OF THE FINANCIAL RESTRAINTS OF LOCAL GOVERNMENTS, THE CITIZENS OF COLORADO, AND THE STATE, INCLUDING THE LIMITATIONS IMPOSED BY SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

(c) ANY STATE PROGRAM THAT IMPLEMENTS THE GOALS OF THE FEDERAL STATUTE SHOULD USE THE MOST EFFICIENT METHOD POSSIBLE, WITH CAREFUL CONSIDERATION GIVEN TO COST OF THE PROGRAM AND THE IMPACT OF THE PROGRAM ON COLORADO CITIZENS AND LOCAL GOVERNMENTS, AND THE LONG-RANGE PUBLIC HEALTH, SAFETY, AND WELFARE OF CITIZENS OF THE STATE.

24-78-105. Joint budget committee - reports to the executive committee - budgetary savings. (1) THE JOINT BUDGET COMMITTEE SHALL REPORT TO THE EXECUTIVE COMMITTEE REGARDING THE PROPOSED IMPLEMENTATION OF THIS SECTION.

(2) (a) IF ANY STATE PROGRAM IS AUTHORIZED OR MANDATED BY A FEDERAL STATUTE, NO STATE APPROPRIATIONS FOR THE PROGRAM SHALL BE ENACTED UNLESS:

(I) THE STATE PROGRAM IS NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE;

(II) THE STATE PROGRAM IS NECESSARY TO IMPLEMENT THE FEDERAL STATUTE;

(III) THE OPERATION OF THE STATE PROGRAM BENEFITS THE STATE BY PROVIDING A COST-EFFECTIVE IMPLEMENTATION OF THE FEDERAL STATUTE BY THE STATE, BY LOCAL GOVERNMENT, AND BY BUSINESS; OR

(IV) THE STATE PROGRAM BENEFITS THE STATE, LOCAL GOVERNMENT, AND BUSINESS BY PROVIDING A COST-EFFECTIVE MEANS TO MEET A HIGHER PUBLIC HEALTH, SAFETY, AND WELFARE STANDARD ESTABLISHED UNDER STATE LAW.

(b) EACH STATE AGENCY MAKING A BUDGET REQUEST FOR STATE APPROPRIATIONS FOR A STATE PROGRAM AUTHORIZED OR MANDATED BY FEDERAL STATUTE SHALL INCLUDE IN ITS BUDGET REQUEST CITATIONS TO

THE FEDERAL CONSTITUTIONAL PROVISIONS AND THE STATE CONSTITUTIONAL OR STATUTORY PROVISIONS THAT AUTHORIZE THE STATE PROGRAM. THE JOINT BUDGET COMMITTEE SHALL REVIEW THE BUDGET REQUEST AND DETERMINE WHETHER ADDITIONAL STATE STATUTORY AUTHORITY IS REQUIRED IN ORDER TO IMPLEMENT THE STATE PROGRAM AND SHALL MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE EXECUTIVE COMMITTEE THEREON.

(c) THE GENERAL ASSEMBLY, AFTER RECEIVING A RECOMMENDATION FROM THE JOINT BUDGET COMMITTEE AND THE EXECUTIVE COMMITTEE, SHALL DETERMINE WHETHER A STATE PROGRAM IS NECESSARY AND WHETHER FEDERAL CONSTITUTIONAL AUTHORITY AND STATE CONSTITUTIONAL OR STATUTORY AUTHORITY EXIST. THE GENERAL ASSEMBLY SHALL EXERCISE A CRITICAL VIEW TOWARD THE INTERPRETATION OF THE FEDERAL STATUTE FOUND IN FEDERAL REGULATIONS, GUIDELINES, OR POLICIES. ENACTMENT OF STATE APPROPRIATIONS FOR A STATE PROGRAM SHALL CONSTITUTE THE GENERAL ASSEMBLY'S DETERMINATION THAT THE STATE PROGRAM IS NECESSARY AND THAT FEDERAL CONSTITUTIONAL AUTHORITY AND STATE CONSTITUTIONAL OR STATUTORY AUTHORITY EXIST. STATE APPROPRIATIONS MAY NOT BE BASED SOLELY ON REQUIREMENTS FOUND IN REGULATIONS, GUIDELINES, OR POLICIES OF A FEDERAL AGENCY.

(d) PRIOR TO RECOMMENDING TO THE GENERAL ASSEMBLY ANY BUDGET FOR A STATE AGENCY THAT IS CHARGED WITH IMPLEMENTING FEDERAL MANDATES, THE OFFICE OF STATE PLANNING AND BUDGETING AND THE JOINT BUDGET COMMITTEE SHALL REQUIRE THAT THE STATE AGENCY PROVIDE INFORMATION REGARDING ANY MONETARY SAVINGS FOR THE STATE AND ANY REDUCTION IN REGULATORY BURDENS ON THE PUBLIC AND ON LOCAL GOVERNMENTS THAT COULD BE OR HAVE BEEN ACHIEVED THROUGH THE DEVELOPMENT OF STATE POLICIES THAT MEET THE INTENT OF THE FEDERAL STATUTE BUT DO NOT NECESSARILY FOLLOW ALL APPLICABLE FEDERAL REGULATIONS, GUIDELINES, OR POLICIES. THE STATE AGENCY SHALL ALSO PROVIDE ADVICE TO THE OFFICE OF STATE PLANNING AND BUDGETING AND THE JOINT BUDGET COMMITTEE REGARDING ANY CHANGES IN STATE STATUTES THAT ARE NECESSARY TO PROVIDE THE STATE AGENCY THE AUTHORITY TO IMPLEMENT STATE POLICIES IN SUCH A WAY AS TO CREATE ADDITIONAL SAVINGS OR GREATER REDUCTIONS IN REGULATORY BURDENS. THE OFFICE OF STATE PLANNING AND BUDGETING SHALL REVIEW AND COMPILE THE INFORMATION RECEIVED FROM STATE AGENCIES PURSUANT TO THIS SECTION AND SHALL INCLUDE RECOMMENDATIONS IN ITS ANNUAL BUDGET REQUEST TO THE JOINT BUDGET COMMITTEE BASED UPON SUCH INFORMATION.

(3) FOR PURPOSES OF THIS SECTION, "STATE PROGRAM" DOES NOT INCLUDE ANY PORTION OF A PROGRAM THAT IS FUNDED WITH NON-TAX OR NON-FEE REVENUES, OR BOTH, WHICH STATE AUTHORITIES ARE REQUIRED TO ADMINISTER IN A TRUSTEESHIP OR CUSTODIAL CAPACITY AND WHICH ARE NOT SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY.

PART 2
EXERCISE OF STATE AUTHORITY

24-78-201. Requests for information regarding federal

mandates. (1) THE STAFF OF THE LEGISLATIVE COUNCIL AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL JOINTLY PREPARE ONE OR MORE REQUESTS FOR INFORMATION REGARDING FEDERAL MANDATES ON OR BEFORE AUGUST 30, 1994. THE REQUESTS FOR INFORMATION SHALL BE DIRECTED TO PERSONS INVOLVED WITH OR AFFECTED BY FEDERAL MANDATES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

(a) PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION BOTH WITHIN AND OUTSIDE OF COLORADO AND INDIVIDUALS IN SUCH INSTITUTIONS WHO HAVE DEVELOPED A HIGH DEGREE OF EXPERTISE IN THE SUBJECTS OF FEDERALISM AND FEDERAL MANDATES;

(b) ATTORNEYS IN PRIVATE PRACTICE WHO HAVE DEALT WITH FEDERAL MANDATE LITIGATION OR RESEARCH; AND

(c) ORGANIZATIONS AND FOUNDATIONS THAT HAVE AN INTEREST IN THE ISSUES OF FEDERALISM AND THE IMPOSITION OF FEDERAL MANDATES ON STATE AND LOCAL GOVERNMENTS.

(2) THE ISSUES ADDRESSED IN THE REQUESTS FOR INFORMATION ISSUED PURSUANT TO THIS SECTION SHALL INCLUDE THE FOLLOWING:

(a) IDENTIFICATION OF FEDERAL MANDATES EXPRESSING BROAD FEDERAL POLICIES THAT WOULD BEST BE IMPLEMENTED ON A STATE-BY-STATE BASIS OR THAT COULD BE RESISTED BECAUSE OF THE UNIQUE CIRCUMSTANCES THAT ARE PRESENT IN EACH STATE AND BECAUSE OF THE UNNECESSARY BURDENS THAT ARE CREATED BY FEDERAL REGULATIONS AND POLICIES;

(b) LEGAL THEORIES THAT SUPPORT THE RIGHT OF EACH STATE TO IMPLEMENT OR OPPOSE FEDERAL MANDATES PURSUANT TO THE STATE'S OWN POLICIES;

(c) PRACTICAL METHODS, INCLUDING THE ENACTMENT OF ANY STATE LEGISLATION, BY WHICH THE STATE MAY FULLY EXERCISE ITS AUTHORITY IN THE IMPLEMENTATION OF FEDERAL MANDATES;

(d) RECOMMENDATIONS REGARDING FEDERAL LEGISLATION THAT WOULD ENSURE THAT THE STATES HAVE THE NECESSARY AUTHORITY TO IMPLEMENT FEDERAL DIRECTIVES IN A MANNER THAT IS CONSISTENT WITH STATE POLICY AND IS SUITED TO THE NEEDS OF EACH STATE; AND

(e) POSSIBLE FUNDING SOURCES FOR FEDERAL MANDATE EFFORTS AND OPPORTUNITIES FOR THE STATE OF COLORADO TO MATCH OTHER FUNDING SOURCES OR TO COOPERATE WITH OTHER ENTITIES IN WORKING TOWARDS FEDERAL MANDATE SOLUTIONS.

(3) THE REQUESTS FOR INFORMATION PREPARED PURSUANT TO THIS SECTION SHALL REQUIRE THAT THE INITIAL RESPONSES BE RECEIVED BY THE STAFF OF THE LEGISLATIVE COUNCIL AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES BY OCTOBER 15, 1994. THE STAFF OF THE LEGISLATIVE COUNCIL AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES MAY PREPARE

ADDITIONAL REQUESTS FOR INFORMATION TO FOLLOW UP AND OBTAIN FURTHER DETAILS REGARDING THE INITIAL RESPONSES THAT WERE RECEIVED.

24-78-202. Report by the staff of the legislative council and the office of legislative legal services regarding federal mandates - recommendations. (1) THE STAFF OF THE LEGISLATIVE COUNCIL AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL EXAMINE THE INFORMATION RECEIVED THROUGH THE REQUESTS FOR INFORMATION PREPARED PURSUANT TO SECTION 24-78-201 AND, BASED UPON SUCH INFORMATION, SHALL JOINTLY PRESENT A REPORT TO THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL ON OR BEFORE DECEMBER 1, 1994, THAT INCLUDES THE FOLLOWING: ■■

(a) RECOMMENDATIONS TO THE EXECUTIVE COMMITTEE REGARDING:

(I) CONTRACTS THAT THE EXECUTIVE COMMITTEE MAY ENTER INTO WITH SPECIFIED PERSONS OR ENTITIES TO CONDUCT RESEARCH, TO ANALYZE CERTAIN SUBJECTS, OR TO PROVIDE OTHER SERVICES REGARDING FEDERAL MANDATES; OR

(II) A REQUEST FOR A PROPOSALS PROCESS TO OBTAIN BIDS FOR CONTRACTS TO PROVIDE SERVICES REGARDING FEDERAL MANDATES WITH THE INTENT THAT THE CONTRACTS BE ENTERED INTO ON OR BEFORE FEBRUARY 1, 1995, AND THAT THE RESULTS OF ANY RESEARCH OR ANALYSIS PERFORMED UNDER SUCH CONTRACTS BE RECEIVED BY THE EXECUTIVE COMMITTEE ON OR BEFORE JULY 1, 1995; AND

(b) ESTIMATES OF THE COST OF THE FEDERAL MANDATE EFFORTS RECOMMENDED BY THE STAFF OF THE LEGISLATIVE COUNCIL AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES UNDER THE PROVISIONS OF THIS SECTION AND RECOMMENDATIONS REGARDING ANY POSSIBLE PUBLIC AND PRIVATE SOURCES OF MONEYS TO FUND SUCH EFFORTS, INCLUDING ANY APPROPRIATIONS BY THE GENERAL ASSEMBLY THAT MAY BE REQUIRED.

24-78-203. Severability. IF ANY PROVISION OF THIS ARTICLE OR THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS ARTICLE THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS ARTICLE ARE DECLARED TO BE SEVERABLE.

SECTION 2. 2-3-203 (1), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2-3-203. Powers and duties. (1) The committee has the following powers and duties:

(F) TO ENFORCE THE REQUIREMENTS OF THE "FEDERAL MANDATES ACT", ARTICLE 78 OF TITLE 24, C.R.S., IN THE BUDGETING PROCESS PURSUANT TO THE REQUIREMENTS OF SECTION 24-78-105 (2), C.R.S.

PAGE 8-SENATE BILL 94-157

SECTION 3. 2-3-303 (2), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

2-3-303. Functions. (2) In addition to any other powers and duties set forth in law, the executive committee shall have the following powers and duties:

(e) TO OVERSEE THE IMPLEMENTATION OF THE "FEDERAL MANDATES ACT", ARTICLE 78 OF TITLE 24, C.R.S., PURSUANT TO THE REQUIREMENTS OF SECTION 24-78-105 (1), C.R.S.

SECTION 4. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state money is necessary to carry out the purposes of this act.

SECTION 5. Effective date - applicability. This act shall take effect upon passage and shall apply to any state regulation promulgated on or after said date.

~~SECTION 6. [REDACTED]~~ ~~SECTION 7. [REDACTED]~~

BE

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DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-4867 or 465-2450
FAX (907) 465-2020
Mail Stop 3101

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

MEMORANDUM

June 30, 1994

SUBJECT: Federal mandates (Work Order No. 9-LS(0029))

TO: Senator Robin Taylor
Attn: Joe Ambrose

FROM: Tamara Brandt Cook
Director *TBC*

I am working on a draft in response to your request for legislation based upon a Colorado draft dealing with federal mandates. I got back from vacation just as Mr. Joe Ambrose left on vacation, so we missed the chance to talk about this project. I thought that if I set out some initial questions and observations in writing, Mr. Ambrose could digest them on his return and get back to me with drafting directions at his convenience.

First off, much of the Colorado draft appears to me to be "fluff" without legal significance. As a drafter, I would be inclined to greatly reduce the bill in favor of a much crisper approach. However, what seems to me to be legally insignificant may be politically important, so let me know what approach you prefer on this. By the way, this comment applies to the substance of the bill as well as the findings section. For example, 24-78-104(c) directs state programs to be efficient. This type of requirement, I suspect, will have no legal effect, because I doubt that managers deliberately set out to be inefficient and will always regard themselves to be in compliance with this direction (no matter what the rest of the world perceives the case to be)!

I think that the substantive provision of that same section, 24-78-104, is contained in the first paragraph. Any state employee charged with the duty of implementing a federal statute is required to exercise a "critical view" and identify provisions that are inconsistent with state policy or do not advance state policy in a cost effective manner. Two problems here: (1) since a duty imposed on everyone is often performed by none, should this be focused on certain employees (like department commissioners) who might be expected to know what the policy of the state actually is with respect to a particular program?; (2) having identified an inconsistency with state policy (or an inefficiency), ought the state employee be required to communi-

MEMO FROM LEG. LEGAL
RE: COLORADO LAW

Senator Robin Taylor

June 30, 1994

Page 2

cate that information? I know that reports to the legislature proliferate at an alarming rate, but what good is it to place a requirement such as this on an agency without providing a mechanism by which problems may be brought to the attention of the legislature? I would suggest that the requirement apply only to commissioners and that they be required to report to the governor and the legislature (or legislative committee charged with federal mandate review). The Colorado draft also applies to the judicial and legislative branches, but I'm not sure that makes much sense. Those branches typically are not involved in carrying out federal programs.

There are several provisions in the Colorado draft tied to specific dates which appear to assign one-time responsibilities for information gathering. (See 24-78-201(1), (3); and 24-78-202(a)(11)) Are these provisions truly intended as temporary law, or is, perhaps, the entire federal mandate review bill temporary in nature?

The Colorado draft purports to place limits on the power of appropriation. (24-78-105(2)(a) and (c)) As a matter of constitutional law in Alaska I doubt that these statutorily imposed limits would be found to invalidate appropriations otherwise properly enacted. However, they would certainly have the potential of opening up some appropriations to legal attack. I would strongly suggest that these be omitted, along with language charging the legislature to "exercise a critical view" or otherwise consider certain factors in the appropriation process. It strikes me that the legislature is already doing these things to the best of its ability and that making this a matter of statute only provides ammunition for potential litigation.

Lastly, Mr. Ambrose mentions in his cover letter the need to set up a special legislative committee to consider the mandate question. He suggests members of the finance committee appointed by the two presiding officers. Another possibility might be the legislative budget and audit committee. Let me know what type of committee you envision.

I hope you and your staff are enjoying the interim.

TBC:mi
94-137.mai

SB

4

FISCAL NOTE

STATE OF ALASKA

BILL NO: SSSB4

1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An Act relating to arrests for possession of alcohol and driving while intoxicated." BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Senator Robin Taylor
 Requestor: ISI STA COMPONENT SERIAL NO. 0799

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

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	59.4	59.4	59.4	59.4	59.4	59.4
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	59.4	59.4	59.4	59.4	59.4	59.4
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES () <small>Revenue Code</small>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	59.4	59.4	59.4	59.4	59.4	59.4
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	59.4	59.4	59.4	59.4	59.4	59.4

Estimate of current year (FY 95) impact: \$ -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

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

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 02/13/95
 Approved by Commissioner: Ronald L. Otte Date: 2/14/95
 Agency: Ronald L. Otte, Dept. of Public Safety

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FISCAL ANALYSIS
SSSP4

This legislation will allow for the arrest of minors for violations of liquor laws, establishes Class C felonies for third time offenders of Driving While Intoxicated (DWI) or Breath Test Refusal and for Driving With License Revoked (DWLR) if the license was revoked as a result of a felony DWI or Breath Test Refusal Conviction. This fiscal note is intended to provide sufficient State Trooper and clerical support time to meet the increased demands resulting from this bill.

Section 2 of the bill allowing for the warrantless arrest of minors for alcohol violations addresses the impact of recent court interpretations that ruled that law enforcement officers must obtain an arrest warrant before an arrest of this type can be made. This statute change will allow the police to continue past practices in enforcement of the alcohol laws as they pertain to minors. Therefore this change will have no financial impact.

Sections 5, 7 and 10 relating to the establishment of Class C felonies for third time DWI, Breath Test Refusal and or certain DWLR convictions will financially impact the Alaska State Troopers.

Although precise statistics can not be made available within the time frame necessary for this fiscal note response, approximately 400 DWI arrests per year are believed to be made for third time offenders. Of these 380 go to grand jury and approximately one-third or 127 of the grand jury cases involve the State Troopers.

The assumptions upon which this fiscal note are based are discussed below:

1) It is estimated that approximately 127 cases of this type per year will be investigated by the Alaska State Troopers.

2) Felony cases require evidentiary hearings and grand jury hearings that are not required had the cases been misdemeanors. Virtually all DWI arrests take place on swing or graveyard shifts, but all evidentiary and grand jury hearings take place during the day, causing Trooper time to be either overtime and/or on call out.

3) Felony cases average the following additional effort:

- 4 to 8 hours for grand jury and/or hearings
- 2 to 3 hours of clerical support time (transcriptions, etc.)
- 10 to 20% of felonies go to trial - 16 to 24 hours

FISCAL ANALYSIS
SSSB4

This bill contains a provision that would create a felony offense of Driving with a Revoked License (DWRL), if the revocation was for a felony conviction of DWI. While a statistical analysis at this time is not available, it is possible that in the future this provision of the bill could have a fiscal impact on the Alaska State Troopers.

Currently, Troopers arrest about 2,000 persons per year for DWLR and related offenses. If a significant number of these became felony offenses, increased trooper costs for grand jury and other related activities could impact the Division in the future. These costs are not included in this fiscal note since no firm basis exists on which to make a projection.

Costs other than personal services are not material and are not included in this fiscal note.

**Division of Alaska State Troopers
Analysis
Sponsor Substitute for Senate Bill 4**

	FY96	FY97	FY98	FY99	FY00	FY01
Personal Services:						
A) Grand Jury/Hearings 127 cases x 6 hour average x \$46.75 (*1)	35,624					
B) Clerical Support 127 cases x 2.5 hour average x \$18.99 (*2)	6,026					
C) Trials 19 cases x 20 hour average x \$46.75 (*1)	17,765					
TOTAL PERSONAL SERVICES	59,415	59.4	59.4	59.4	59.4	59.4

*1 - Overtime hourly cost for a State Trooper, Range 76, Step D/E - (See PACS Scenario #1, PCN 1371)

*2 - Hourly cost for an Administrative Clerk II, Range 8, Step A - (See PACS Scenario #1, PCN 1444)

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSSB 4

Revision Date: _____ Dept. Affected: Department of Law
 Title: "...classifying certain offenses...driving while
intoxicated...failure to submit to a chemical test...as felonies..." BRU: Prosecution
 Sponsor: Senator Taylor Component: Third Judicial District
Fourth Judicial District
 Requester: Governor's Office/OMB COMPONENT SERIAL NO. 0087-0088

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	299.8	299.8	299.8	299.8	299.8	299.8
TRAVEL	13.5	13.5	13.5	13.5	13.5	13.5
CONTRACTUAL	32.2	32.2	32.2	32.2	32.2	32.2
SUPPLIES	14.7	14.7	14.7	14.7	14.7	14.7
EQUIPMENT	36.5	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	396.7	360.2	360.2	360.2	360.2	360.2

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES						
--------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	396.7	360.2	360.2	360.2	360.2	360.2
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	396.7	360.2	360.2	360.2	360.2	360.2

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	5.0	5.0	5.0	5.0	5.0	5.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill makes several changes in state laws regarding alcoholic beverages, driving while intoxicated, driving while license suspended, and refusal to submit to a chemical test.

First, the bill amends AS 12.25.030(b) to make it clear that a peace officer may arrest a person under 21 years of age without a warrant when the peace officer has reasonable cause to believe that the person knowingly possessed, consumed or controlled alcoholic beverages in violation of AS 04.16.050. This provision overrules a recent court decision, and restores past practice. Therefore, this change will not have a fiscal impact.

Second, the bill increases the penalty for a third or subsequent driving while intoxicated conviction from a class A misdemeanor to a class C felony, except that only convictions occurring within five years preceding the date of the present offense may be included. A court would be required to impose a minimum sentence of

Prepared by: Richard I. Piques, Director Phone: 465-3672
 Division: Administrative Services Division Date: 2/14/95
 Approved by Commissioner: Bruce M. Botelho, Attorney General Date: 2/14/95
 Agency: Department of Law

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SSSB 4

ANALYSIS CONTINUATION:

imprisonment of 360 days and a fine of not less than \$1,000. A court would not be permitted to suspend execution of sentence or grant probation except on the condition that a person serve the minimum sentence of 360 days of imprisonment. And, a court would not be permitted to suspend imposition of sentence.

Currently, a third conviction results in a minimum sentence of sixty days imprisonment and a fine of not less than \$1,000. A fourth conviction results in a minimum period of imprisonment of 120 days and a fine of not less than \$2,000. A fifth conviction results in a minimum of 240 days imprisonment and a fine of not less than \$3,000. And a sixth conviction results in not less than 360 days of imprisonment and a fine of not less than \$4,000. The crime of driving while intoxicated, whatever the number of offenses, is a class A misdemeanor under existing law, and the counting of offenses for purposes of increasing the sentence covers a ten year span.

Third, the bill raises the penalty for a third or subsequent refusal to submit to a chemical test from a class A misdemeanor to a class C felony, under the identical circumstances (three or more convictions within five years), and imposes identical minimum sentences.

Finally, the bill would also make it a class C felony if a person drives a motor vehicle while their license was revoked as a result of a felony conviction for driving while intoxicated or refusal to submit to a chemical test. The minimum sentence would be imprisonment for not less than 30 days and a fine of not less than \$1,000. Under current law, driving while a license is suspended or revoked is a class A misdemeanor. We note that the felony DWLS provision is triggered by a prior felony. The state's presumptive sentencing laws require a sentence of two years of imprisonment upon a second felony conviction.

During the past three years an average of 330 defendants have been convicted of three or more DWI/Refusal violations within five years. Based upon the department's DWI/Refusal conviction rate, approximately 400 additional felony level DWI/Refusal cases will be referred to the department for prosecution. Of this number, about 380 cases will be taken to the grand jury for indictment. The department currently handles about 4,000 felonies annually. Thus, raising this large a number of misdemeanor offenses to felony offenses represents a substantial increase in our workload, because of the additional effort required to process a felony case. This includes grand jury proceedings, motion practice, pre-sentence reports, 12-person juries, and sentencing hearings. None of these additional processes are required for the prosecution of misdemeanors. We also note, that although these cases are to be processed as felonies, the sentencing provisions are still those that attend misdemeanor offenses. Moreover, the six-fold increase in jail time (nearly 80% or 260 of 330 convictions are for third-time offenders) is bound to result in tougher defenses and more defendants going to trial, rather than pleading guilty. This will be of particular concern to felony defendants because of the consequences of presumptive sentencing.

Therefore, because of the large increase in felony processing, the department will have to add three Attorney III positions, one each in Anchorage, Fairbanks, and Palmer where the largest number of offenses occur. Additionally, because of the higher level of activity one Legal Secretary I position will have to be added at both Anchorage and Palmer.

02/14/95

09:46:00.0

PERSONAL SERVICES EXPENDITURES NEW POSITION DETAIL REPORT

PAGE: 1

DEPARTMENT OF LAW

SCENARIO: 2

COMPONENT #: 6501020300 NAME: THIRD JUDICIAL DISTRICT

DRU NAME: PROSECUTION

PCN	UNAUTH PCN	JOB CLASS TITLE	T S	LOCATION NAME	R B S C U	R&S HOS BUDG	SALARY	PREM PAY	BERES	PER.SERV. COSTS	G. F. AMOUNT
14026		ATTORNEY III		P DILLINGHAM	A XE III	22A 6	33900	0	9724	43623.54	
**** JUSTIFICATION: Substantial increases in the penalties for commercial fishing violations will result in more vigorous defense by defendants and will increase the number of trials significantly.										TRAVEL COSTS	3500.00
										CONTRACTUAL COSTS	5000.00
										SUPPLIES COSTS	1200.00
										EQUIPMENT COSTS	6500.00
										OTHER COSTS	0.00
										TOTAL COSTS	59823.54
										43623.54	43623.54
**** FUNDING DETAIL: 100% GENERAL FUND RECEIPTS										43623.54	
										TOTAL FUNDING	43623.54
034059		ATTORNEY III		F ANCHORAGE	A XE AA	22A 12	53304	0	18385	71689.98	
**** JUSTIFICATION: This position will be needed to handle an increased felony caseload if state criminal mischief laws are amended to raise the penalty for joyriding from a class A misdemeanor to a class C felony.										TRAVEL COSTS	3000.00
										CONTRACTUAL COSTS	8600.00
										SUPPLIES COSTS	3300.00
										EQUIPMENT COSTS	6500.00
										OTHER COSTS	0.00
										TOTAL COSTS	93089.98
										71689.98	71689.98
**** FUNDING DETAIL: 100% GENERAL FUND RECEIPTS										71689.98	
										TOTAL FUNDING	71689.98
034067		ATTORNEY III		F PALMER	A XE BB	22A 12	55260	0	18873	74133.41	
**** JUSTIFICATION: This position will be required to handle the additional legal actions required to prosecute third-time DWI/refusal prosecutions as felonies rather than misdemeanors. This includes securing grand jury indictments and overcoming a tougher defense due to the substantially increased penalties.										TRAVEL COSTS	3000.00
										CONTRACTUAL COSTS	7600.00
										SUPPLIES COSTS	3300.00
										EQUIPMENT COSTS	6500.00
										OTHER COSTS	0.00
										TOTAL COSTS	94533.41
										74133.41	74133.41
**** FUNDING DETAIL: 100% GENERAL FUND RECEIPTS										74133.41	
										TOTAL FUNDING	74133.41
034068		LEGAL SECRETARY I		F PALMER	A CG 2A	10A 12	25140	0	11463	36603.52	
**** JUSTIFICATION: This position will be required to handle the additional legal actions required to prosecute third-time DWI/refusal prosecutions as felonies rather than misdemeanors. This includes securing grand jury										TRAVEL COSTS	0.00
										CONTRACTUAL COSTS	6000.00
										SUPPLIES COSTS	2400.00
										EQUIPMENT COSTS	8500.00

02/14/95

09:46:01.3

PERSONAL SERVICES EXPENDITURES NEW POSITION DETAIL REPORT

PAGE: 2

DEPARTMENT OF LAW

SCENARIO: 2

COMPONENT #: 6501020300 NAME: THIRD JUDICIAL DISTRICT

BRU NAME: PROSECUTION

PCN	UNAUTH PCN	JOB CLASS TITLE	T S	LOCATION NAME	R B S C U	R&S BUDG	HOS	SALARY	PREM PAY	BENES	PER.SERV. COSTS	G. F. AMOUNT
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Indictments and overcoming a tougher defense due to the substantially increased penalties.

OTHER COSTS	0.00	
TOTAL COSTS	53503.52	36603.52

*** FUNDING DETAIL:

100% GENERAL FUND RECEIPTS	36603.52
TOTAL FUNDING	36603.52

**** COMPONENT TOTALS:

FULL TIME NEW POSITIONS
 PART TIME/SEASONAL NEW POSITIONS
 NON PERMANENT NEW POSITIONS
 OTHER.....

3
1
0
0
====

TOTAL PERSONAL SERVICES	226050.45
TOTAL COSTS INC. ASSOC COSTS	300950.45

NUMBER OF NEW POSITIONS IN COMPONENT:

4

FUNDING DATA: G.F. & G.F. MATCH:	226050.45
OTHER FUNDS:	0.00
TOTAL FUNDING:	226050.45

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO SS SB 4

Revision Date: _____ Dept. Affected: Corrections
 Title: An Act relating to offenses...driving while BRU: statewide programs
intoxicated or failure to submit to a chemical test... Component: CC Dir.'s office/CRCs
 Sponsor: Sen. Taylor
 Requester: _____ COMPONENT SERIAL NO. 1382

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	303.3	314.7	326.5	338.8	351.5	364.7
TRAVEL						
CONTRACTUAL SUPPLIES	3,406.3	3,406.3	3,406.3	3,406.3	3,406.3	3,406.3
EQUIPMENT	25.0					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	3,734.6	3,721.0	3,732.8	3,745.1	3,757.8	3,771.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	3,734.6	3,721.0	3,732.8	3,745.1	3,757.8	3,771.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	3,734.6	3,721.0	3,732.8	3,745.1	3,757.8	3,771.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	1	1	1	1	1	1
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill would make the third or subsequent DWI or failure to submit to a chemical test a class C Felony and set a minimum sentence. 330 individuals annually would be convicted and sentenced under the language of this bill. The following formulas reflect the impact on DOC. ("added days to serve" allows for statutory goodtime calculations)

	offenders		added days to serve		cost per dday		annual cost
3rd offense	261	X	200	X	\$57		\$ 2,975.4
4th offense	53	X	160	X	\$57		\$ 483.4
5th or more	16	X	0	X	\$57		\$ 0
total	330						\$ 3,458.8

CONTINUE NEXT PAGE:

Prepared by: Jerry Shriner Phone: 465-4640
 Division: Commissioner's Office Date: 2/15/95
 Approved by Commissioner: *Marion H. Pugh* Date: 2/15/95
 Agency: Department of Corrections

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FISCAL NOTE

SS SB 4

2/14/95

page 2

With rare exception this class of offenders would serve their sentences in a treatment or CRC facility. A total of 60,680 annual bed days would be served and 167 new CRC beds would be required.

$$60,680 \times \$57 = \$3,458.8$$

The Department's contracting officer is already working beyond a sustainable capacity and one additional staff person would be needed to implement and administer the new contracts. That cost has been separated from the \$3,458.8 and shown in the personal services line. The balance is shown in the contractual line.

Recent experience shows that after the second offense covered by this bill, the ability to collect either from the individual or to attach their permanent fund to offset these costs falls precipitously and no program receipts are expected.

As a felony, each conviction would require a pre-sentence investigation and report prepared by a probation officer, as well as additional time in court. The department's standard for this process is 18 hours per pre-sentence report. 330 individuals would be convicted of a felony under this bill, even though some would not receive a longer sentence.

$$330 \text{ PSIs} \times 18 \text{ hours} = 5,940 \text{ total hours.}$$

Allowing for vacation and sick leave we can expect a probation officer position to devote 1,875 hours to pre-sentence investigations annually.

$$5,940 / 1,875 = 3.2 \text{ position equivalents.}$$

Four probation officer positions and one clerical person have been included to support the required investigation and report function and a one time cost of equipment a \$5,000 per staff person has also been included.

SENATE COMMITTEE REPORT

First Committee of Refer: _____

DATE: 1/16/95
SS intro: 1/26/95

FURTHER: Judiciary

Date of 5-Day Notice: 2/2/95
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: _____

State Affairs Committee considered SSSB 4

Allowing a person under age 21 to be arrested by a peace officer without a warrant for illegal possession, consumption, or control of alcohol; classifying certain offenses related to driving while intoxicated or failure to submit to a chemical test as felonies; *etd.*

and recommends:

- | be replaced with _____ CS _____ (_____) |
- | adopt previous _____ CS _____ (_____) |
- | attached amendment(s)
- | adopt Letter of Intent by _____ Committee
- | further referral to the _____ Committee

Senate Bill:
same title
new title
House Bill:
technical change
new: SCR^e _____

SIGNING WITH RECOMMENDATIONS:	DP	DNP	NR	AM
<i>John A. Luman</i>	✓			
<i>Robert E. [unclear]</i>	✓			
<i>Donald [unclear]</i>			✓	
CHAIR: <i>[Signature]</i>	✓			

NEW FISCAL NOTE(S): F196

Department	Date	Zero	Fiscal
LAW	2/14/95		396.7
CORRECTIONS	2/15		3154.6
PUBLIC SAFETY	2/14		59.4

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

Alaska State Legislature

Senate Majority Leader
Chair, Judiciary Committee
Vice Chair, Community &
Regional Affairs

Member, State Affairs Committee
Committee on Committees
Western States Legislative Forestry Task Force
Legislative Council



State Capitol
Juneau, Alaska 99801-1100
907-586-3873
Fax: 907-586-0222

332 First Street
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Senator Robin L. Taylor

MEMORANDUM

**TO: Senator Bert Sharp, Chairman
Senate State Affairs Committee**

FROM: Senator Robin L. Taylor *R.L.T.*

DATE: 1/26/95

REF: Hearing Request - SSSB4

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Please schedule a hearing on SS SB4 at your earliest convenience.

This is the felony drunk driving legislation which you have so generously co-sponsored.

Thank you in advance for your consideration of this request.

Alaska State Legislature

Chairman
Judiciary Committee

Vice Chairman
Transportation Committee

Member
Resources Committee
Western Legislative Institute, Fair Bank



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Senator Robin L. Taylor

Sponsor Statement

SENATE BILL 4

Before the Senate State Affairs Committee
February 9, 1995

Senate Bill 4 would make drunk driving a felony on the third offense within a five year period and requires a minimum sentence of 360 days and a \$1000 fine upon conviction. It would also require a sentence of not less than 30 days and a \$1000 fine if a person convicted of felony DWI later drives a vehicle while that person's license is suspended or revoked.

It also gives the court the option of ordering a person to take antabuse or a similar drug as a condition of parole or probation. These drugs are intended to prevent the consumption of alcohol. The court may also order forfeiture of the vehicle or aircraft involved, subject to remission under existing law.

The need for SB4 is clear. In 1994, Anchorage had made 351 DWI arrests by August 24. Of that total, it was the second offense for 102 of the drivers and the third or more for 48 of them. The breath alcohol counts of most of these offenders is staggering. One driver, who already had seven DWIs on record, had a BAC of .267 .

We are all aware of the high profile cases. The guy with multiple DWI convictions who wipes out a family. Every one of the repeat offenders SB4 would get off our streets and highways has the potential of becoming a killer.