

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

9030 SENATE STATE AFFAIRS

mortgage-backed securities (as is our recommendation), it may be required to hire additional staff. This is because mortgage-backed securities are more complex to analyze, and the holders of mortgage securities continually receive principal and interest payments which must be accurately recorded. All our recommended portfolios contain substantial allocations to mortgage-backed securities. Consequently, we suggest that the Board hire an outside manager to manage the mortgage portfolio, or, at the very least, hire additional support staff.

Conclusion

Although the Permanent Fund has an excellent performance history, the Fund faces new and uncertain investment challenges in the coming years. The Board, realizing the importance of asset allocation to overall Fund performance, has created a target allocation to meet those challenges. However, as our analysis reveals, the Board can implement a better allocation for the Fund, one that has higher expected return and less risk than the Fund's target portfolio. Also, the Board can implement a new investing policy, one emphasizing an adherence to the chosen allocation. By doing so, the Board will help ensure the maximum expected performance of the Fund over the long-term investment horizon, thereby providing the highest possible income to the State's citizens and fulfilling its obligation to those citizens.

Appendix A: Benchmarks Used in Asset Allocation Study

Asset Class	Benchmark Description
U.S. Large Capitalization Equity	S&P 500: A market capitalization-weighted index of 500 of the largest stocks of companies domiciled in the United States
U.S. Mid/Small Capitalization Equity	Russell 2000 Index: A market capitalization-weighted index of the stocks of the bottom two thirds of the largest 3,000 publicly traded companies domiciled in the United States
Canada Equity	Morgan Stanley Capital International Canada Total Return Index: A market capitalization-weighted index of 61 large Canadian stocks
Europe Equity	Morgan Stanley Capital International Europe Total Return Index: A market capitalization-weighted index of large stocks from Austria, Belgium, Denmark, Finland, France, Germany, Ireland, Italy, Netherlands, Norway, Spain, Sweden, Switzerland, and the United Kingdom
Pacific Equity	Morgan Stanley Capital International Pacific Total Return Index: A market capitalization-weighted index of large stocks from Australia, Hong Kong, Japan, Malaysia, New Zealand, and Singapore
Emerging Markets Equity	IFC Emerging Market Composite Index: A broad-based, market capitalization-weighted index of stocks listed in countries with a per capita GDP below an annually disclosed figure. Currently, 20 countries are represented in the Composite Index.
Cash	U.S. 90-Day Treasury Bills: Published by Salomon Brothers in <i>International Bond and Money Market Performance</i>

LEHMAN BROTHERS



IT Govt/Corp Bonds

Lehman Brothers Intermediate-Term Government/Corporate Bond Total Return Index: A portfolio of U.S. government issues (>\$100 million par value) and investment grade corporate debt (>\$50 million par value) with an average maturity of 4.42 years as of November 29, 1993.

LT Govt/Corp Bonds

Lehman Brothers Government/Corporate Bond Total Return Index: A portfolio of U.S. government issues (>\$100 million par value) and investment grade corporate debt (>\$50 million par value) with an average maturity of 10.91 years as of November 29, 1993.

Mortgage-Backed Securities

Lehman Brothers Mortgage-Backed Securities Total Return Index: An index of all fixed-rate securities backed by mortgage pools of the Government National Mortgage Association (GNMA), Federal Home Loan Mortgage Corporation (FHLMC), and the Federal National Mortgage Association (FNMA). The index has an average maturity of 5.39 years.

Non-U.S. Bonds

Salomon Brothers Non-U.S. 1+ Bond Index: A market capitalization-weighted index of bonds from Australia, Canada, Germany, Japan, Netherlands, Switzerland, and the United Kingdom with one year or more to maturity. The average maturity of bonds in the index is 6.95 years.

Real Estate

Wilshire Real Estate Securities Total Return Index: A market capitalization-weighted index of approximately 85 real estate investment trust and real estate operating companies.

Appendix B: Forecasts Used in Asset Allocation Study

Forecasts of Expected Return and Standard Deviation

Asset Class	Expected Return	Standard Deviation
U.S. Large Cap Stocks	13.56	20.61
U.S. Mid/Small Cap Stocks	18.03	32.95
Canada Stocks	13.73	24.64
Europe Stocks	13.98	22.69
Pacific Stocks	15.11	28.24
Emerging Market Stocks	21.38	47.00
Real Estate	9.90	13.63
Cash	4.61	2.73
IT Govt/Corp Bonds	5.89	4.10
LT Govt/Corp Bonds	6.37	7.22
Mortgage-Backed Securities	7.45	9.29
Non-U.S. Govt Bonds	6.01	14.75

SB

54

NORTHERN ECLIPSE, INC.

1900 West Benson Blvd. Suite 100 • Anchorage, Alaska 99517 • (907) 274-7111 • Fax (907) 274-8111

March 8, 1995

Senator Bert Sharp, Chairman
Senate State Affairs Committee
Juneau, Alaska

Post-it™ Fax Note	7871	Date	3/8	# of pages	2
To	Senator Sharp	From	Ray Latchum		
Co./Dept.	State Affairs	Co	N/E I		
Phone #	465-3004	Phone #	274-7111		
Fax #	465-2070	Fax #	274-8111		

Dear Senator Sharp,

I am writing to voice my opposition to SB 54

Overall, the bill further protects electrical utilities from a competitive threat. One must consider whether the threat of little competition might encourage a large utility to operate more in the best interest of the rate payers and not their management. Certainly the large utilities have the advantage of economies of scale over the feared independent power producers. Perhaps the large utilities could learn about efficiency from an independent power producer (IPP), perhaps their education could financially benefit the rate payers.

Specifically, section 3 causes our company a lot of heartburn. This section deletes the words "and presently or formerly served by" from the definition section of AS 42.05. We have before us currently a project that this will impact. Northern Eclipse is constructing an LNG plant at a site in Point McKenzie. This area is served by MEA. Due to the nature of our operation for the first few years, under MEA's rate structure we would be paying an UNBEARABLE rate for electricity, this is due to our high demand but low run time of the plant. The cost for this electrical service is prohibitive.

It is clear that power will be generated on site for our application. The waste heat associated with on site generation will be put to good use at our plant. The problem is we are not in the power generation business. We are exploring the possibility of having an IPP provide us with our electrical needs. As I understand it, by removing those six words, we will be precluded from having an IPP provide us with power and be forced to operate our own plant.

People like Mr. Hutchins may argue that MEA deserves to have our plant as a captive customer. Usually the rationale for such an argument is that the utility has made an investment to serve these loads and this investment would become

"stranded" if the customer weren't forced to purchase power from the utility. The words "and presently or formerly served by" prevent that from being the case.

Our LNG plant is a good example. It is a new development that MEA had no idea was coming and could not have made any investments for. Our plant cannot afford MEA's rates. We are going to negotiate with MEA to attempt to reach some type of arrangement that benefits both parties, however we certainly don't want this type of protectionist legislation clouding the negotiation.

I urge your committee to consider what has happened in other utility areas that were once almost protected as much as Mr. Hutchins would like to protect the electric. Think about our long distance rates a few years ago versus today. You should consider deleting AS 42.05.990(3) (B) in its entirety. This would remove the \$50,000 per year limit on an IPP. This action would have the effect of sending a wake up call to the industry and force them to begin thinking of ways to become more efficient.

It may be human nature that given a captive customer base, innovation and efficiency give way to complacency, bureaucracy, and inertia. It is not good public policy to encourage this phenomenon.

Please feel free to call me if you have any questions.

Sincerely,



Raymond R. Latchem
President

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 54

Revision Date: _____
 Title: Exclusive Service Territories for
Certificated Electric Utilities
 Sponsor: Senate Labor & Commerce Committee
 Requestor: _____

Department Affected: Commerce and Economic Development
 BRU: Alaska Public Utilities Commission
 Component: _____
 COMPONENT SERIAL NO. 366

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0	33.1	66.2	33.1	33.1	0
TRAVEL	0	0.7	1.4	0.7	0.7	0
CONTRACTUAL	0	12.0	24.0	12.0	12.0	0
SUPPLIES	0	0.8	1.5	0.8	0.8	0
EQUIPMENT	0	0.7	1.3	0.7	0.7	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	47.3	94.4	47.3	47.3	0

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/MHTIA	0	47.3	94.4	47.3	47.3	0
Other						
TOTAL	0	47.3	94.4	47.3	47.3	0

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

POSITIONS

FULL-TIME	0	.5	1.0	.5	.5	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

SB 54 could require a Utilities Engineering Analyst III to analyze the additional electric utility certification filings. This position would be 50% for FY 96, 100% in FY 97, full-time in FY 98, half-time for FY 99 and FY 00, 50 for FY 01.

(CONTINUED NEXT PAGE)

Prepared by: Robert A. Lohr
 Division: Alaska Public Utilities Commission
 Approved by Commissioner: William L. Hensley
 Agency: Commerce and Economic Development

Phone: 276-6222
 Date: 2/14/95
 Date: 2/13/95

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FISCAL NOTE

SB 54

ANALYSIS (CONTINUED):

Legal expenses would occur when exclusive boundaries were challenged in court. They are not included because it is unclear when they would occur. This would need to be addressed later.

This fiscal note assumes that the \$50,000 referred to in Section 2. (3)B, refers to customers who purchase \$50,000 or more.

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/26/95

FURTHER: Labor and Commerce
 Finance

Date of 5-Day Notice: 2-19-95
 (in accordance with Uniform Rule 23)

DATE TURNED
 INTO OFFICE: _____

State Affairs Committee considered SENATE BILL NO. 54

"An Act relating to exclusive service areas for utilities certificated to provide electric utility service and to the definition of 'general public' for utilities furnishing electric service."

and recommends:

- be replaced with _____ CS SB 54 (STA)
- 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# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
CHAIR:					

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
DCFD	3/13		94.4

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

9-LS0542K
Cramer
3/7/95

CS FOR SENATE BILL NO. 54(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to exclusive service areas for utilities certificated to provide
2 electric utility service and to the definition of 'general public' for utilities
3 furnishing electric service."

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

5 • Section 1. INTENT. It is the intent of this Act to state the policy only concerning
6 service areas for electric utilities. The amendments made by this Act do not apply to other
7 utility services.

8 • Sec. 2. AS 42.05.221 is amended by adding a new subsection to read:

9 (g) A certificate issued under this section to a public utility providing electric
10 service establishes an exclusive service area for the public utility providing the electric
11 service.

12 • Sec. 3. AS 42.05.990(3) is amended to read:

13 (3) "public" or "general public" means

14 (A) a group of 10 or more customers that purchase the service

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or commodity furnished by a public utility;

(B) one or more customers that purchase electrical service for use within an area that is certificated to [AND PRESENTLY OR FORMERLY SERVED BY] an electric utility if the total annual compensation that the electrical utility receives for sales of electricity exceeds \$50,000; and

(C) a utility purchasing the product or service or paying for the transmission of electric energy, natural or manufactured gas, or petroleum products that are re-sold to a person or group included in (A) or (B) of this paragraph or that are used to produce the service or commodity sold to the public by the utility;

9-LS0542F
Cramer
2/8/95

CS FOR SENATE BILL NO. 54(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE LABOR AND COMMERCE COMMITTEE BY REQUEST
A BILL

FOR AN ACT ENTITLED

1 "An Act relating to exclusive service areas for utilities certificated to provide electric
2 utility service and to the definition of 'general public' for utilities furnishing electric
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7 service establishes an exclusive service area for the public utility providing the utility
8 service.

9 * Sec. 2. AS 42.05.990(3) is amended to read:

10 (3) "public" or "general public" means

11 (A) a group of 10 or more customers that purchase the service or
12 commodity furnished by a public utility;

13 (B) one or more customers that purchase electrical service for use
14 within an area that is certificated to [AND PRESENTLY OR FORMERLY

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SERVED BY] an electric utility if the total annual compensation that the electrical utility receives for sales of electricity exceeds \$50,000; and

(C) a utility purchasing the product or service or paying for the transmission of electric energy, natural or manufactured gas, or petroleum products that are re-sold to a person or group included in (A) or (B) of this paragraph or that are used to produce the service or commodity sold to the public by the utility;



Alaska

Rural

Electric

Cooperative

Association, Inc.

701 W. Tudor Rd. #200
Anchorage, AK 99511
(907) 561-6101
FAX (907) 561-5517

Electric Service For 90,000 Alaskans

February 13, 1995

Senator Bert Sharp, Chairman
Senate State Affairs Committee
Juneau, AK

Dear Senator Sharp

Thank you for scheduling SB 54 for hearing in the State Affairs Committee

The purpose for this legislation is to give direction to the Alaska Public Utilities Commission to maintain the historic regulatory system for electric utilities. This historic practice has been for each electric utility to be assigned to a separate service area, and for rates to be set by the commission in lieu of competition, except in those instances in which the customers of the utility have opted not to have the rates set by the commission. This has been an efficient and orderly system which has served the public well.

This practice has been based on AS 42.05.221 which presumes that the commission will provide for separate service areas. This section was enacted at the time the commission came into existence in its present form, and it was the policy that this section embodies that accounted largely for the creation of the commission. The factual situation at that time was that electric utilities were engaged in fierce and wasteful competition. In an attempt to maximize their market shares, electric utilities located in the same community built lines adjacent to each other throughout much of the area. This was a horrible misallocation of resources. Section 221 directed the commission to separate the utility service areas.

At this time, the task of consolidating the electric utilities into separate service areas has essentially been completed. Now that the factual situation has changed, it would be appropriate for the legislature to recognize this change by amending Section 221 to clearly direct the commission to keep electric service areas separate. That clear directive is contained in Section 1 of SB 54.

ARECA STATEMENT

We think this policy statement by the Legislature is particularly important at this time because of the national debate that is underway regarding "retail wheeling." There has been a lot of talk, but very little action, on this subject around the country. But the idea behind it is that the larger consumers want to be able to make their own deals for electricity from a power supplier other than the utility certificated to serve the area where the large consumer is located. This necessarily places the smaller consumers with less bargaining power at a disadvantage. This approach contrasts sharply with the historic regulatory system in Alaska in which periodic cost of service studies are required so that each customer class pays its own fair share of the cost of serving the area.

"Retail wheeling" may or may not be workable in some jurisdictions, but it breaks down entirely in the Alaska setting. The distinctive and unique characteristic of Alaska electric utilities is that most of them are physically isolated from any neighboring utility. Because they are electrically isolated, they have had to invest in their own generation facilities rather than buying power from someone else. Because they are small, it is a constant struggle for them to achieve economies of scale sufficient to permit them to offer rates comparable to those taken for granted anywhere else. If independent power producers are permitted to come into the area being served by an electric utility and serve only the largest customers, it may be able to offer lower rates to those most desirable customers, but all the other customers will have to pay higher rates. In some cases, feasibility for the very existence of the electric utility may be destroyed.

Section 2 of this bill removes some language that has been interpreted as permitting independent power producers the opening to do the very things we are most concerned about. The language being repealed was inserted several years ago as a "compromise" in a hot fight between a gas company and an electric company on the North Slope. That dispute no longer exists, and this section needs to be amended to be consistent with Section 1 of the bill.

We understand the commission has proposed a fiscal note of nearly \$100,000 to accompany this bill. The whole purpose of this bill is conservative, in the sense of keeping things the way they are, so any increase in expenditures to administer this bill are unfounded. We recommend the committee adopt a zero fiscal note.

Sincerely,



David Hutchens
Executive Director



February 10, 1995

Senator Bert Sharp, Chairman
State Affairs Committee
State Capitol
Juneau, AK 99801-1102

Re: Proposals for change in statute relating to regulation
by the APUC (for refuse industry).

Dear Senator Sharp,

I sent an information package dated February 9, which detailed some of the problems with the regulation of the refuse industry in general; the problems I have encountered attempting to enter the business and remain a viable operational entity for the benefit of my customers, and expand operations.

INTRODUCTION

Deregulation of the refuse industry appears to be one of the methods available which could rectify many of the problems. Deregulation could be limited or total in nature. However, some caution must be exercised in order to make sure the situation that results is an improvement over the current system.

For instance, if deregulation were to occur, municipalities may wish to institute some form of control to "protect" the public. This would probably be done on a "bid system". The particular bid systems may result in local politics controlling who gets to bid, qualifications, etc.. I do have some concerns about giving municipalities full control without some oversight, or some other limitations on their control.

In my dealings with the Municipality of Anchorage (MOA), I gather the impression that they are not desirous of deregulation. If that were to happen, they don't want to be put in the position of having to "qualify" an prospective bidder. Currently, if a refuse provider is certificated by the APUC, then the MOA feels comfortable with that provider's qualifications. They would make that a requirement for bidding. They would certainly not want to see a dozen or more "mom & pop" operations, or pickup truck operations.

Commercial Refuse

1979 34th Avenue
Anchorage AK 99501

COMMERCIAL REFUSE

PHONE (907) 277-3725
FAX (907) 277-3790

SUBSIDIZED CHARGES FROM
COMMERCIAL REFUSE

Senator Hart Sharp
February 10, 1995
Page Two

In the case of the MOA, I sense that they feel threatened by competition, since they have their own refuse collection service (SHS) within their downtown area. But, on the other hand, if the citizens here could see better service and lower costs as a result of open competition, their position may be favorable to deregulation.

In my estimation, the cost of regulation as it relates to the refuse industry raises costs 5-15%. Most of this cost is directly related to the litigation by the certificated refuse providers, and this is all played out at the APUC. There is a cost to the APUC for all this litigation, much of which is unnecessary and time consuming for the APUC. In an unregulated atmosphere, such litigation would not even be considered. The excessive regulation creates the opportunity for bickering amongst the refuse providers, with the result of forcing the APUC to act as the "referee".

The APUC as a regulatory body has it's place and function. There are legitimate reasons for having such an administrative body to regulate certain utilities. Those utilities that are regulated are usually considered "natural monopolies" with relatively high capital investments at stake. Sometimes, this means that those regulated utilities are afforded some protection from competition. The refuse industry does not "qualify" as a "natural monopoly", has little investment, and therefore does not require protection from competition in most cases.

The recent Anchorage Daily News (ADN) articles regarding one of my competitors, Anchorage Refuse, Inc. (ARI), and the alleged mis-spent/allocated funds speak directly to one of the issues. With the regulatory system as it now stands, a provider of services operates on a "cost plus" system. The potential for abuse of this system is high and difficult to police.

Conversely, if a free and open market existed, then it would not matter how a refuse provider spent their funds. Improper business expenditures may result in a lack of a competitive edge, but it would not be illegal or a cost passed on to the consumers without recourse. The consumers would provide the needed policing through choice of providers, much the same as we see with almost all businesses. If a provider had a high overhead which caused the pricing structure to be overly excessive, the company would not remain competitive. The consumer would not be a victim and there would be others to provide services at a lower cost (hopefully coupled with better service).

Senator Bert Sharp
February 10, 1995
Page Three

In another case, the recent "garbage war" in Fairbanks and the results (good or bad) are something you would know something about. I feel that the regulatory nightmare added to the problems. The inability of the Fairbanks' service providers to be able to adjust their rate structures quickly was one of the factors that led to the demise of one of the providers.

SUMMARY OF DEREGULATION

In summary, I feel that the subject of deregulation is one that should be visited. There is a need to examine the purpose and reasons for such, as it relates to the refuse industry. In general, the public would like to see less government and regulation. This is an area where those goals can be obtained. If the proper approach and cautions are taken, then the result can be positive. In my opinion, the refuse industry does not require the extent of regulation it currently has.

ALTERNATIVE MEASURES TO TOTAL DEREGULATION

In the interim, some other measures can be taken to address some of the concerns I have raised. Those involve revision and addition of certain statutory language. These measures may not address all the concerns, however, they would ensure a more competitive environment, free enterprise and an open market.

1.) Change the exemptions listed in AS 42.05.711(a)(2)(1);

Currently a utility is exempt from economic regulation if their gross revenues do not exceed \$200,000. Due to increased dumping fees and servicing costs since this limit was enacted many years ago, the suggested limit would be at least \$2,000,000.

Dumping (tipping) fees have escalated over nine-fold in Anchorage since 1985. Servicing costs have increased with time also. This would justify a ten-fold increase in the limit.

Perhaps economic regulation should not exist at all.

Senator Bert Sharp
February 10, 1995
Page Four

2.) Change the Definitions found in AS 42.05.990(1)(3)(A);

(3) "public" or "general public" means
(A) a group of 10 or more customers.....

TO: (A) a group of 10 or more customers that purchase the service or commodity furnished by a public utility, or in the case of a refuse utility a group of 100 or more commercial customers or a group of 3,000 or more residential customers that purchase the service or commodity furnished by a refuse utility.

This would allow for competitors to enter the marketplace without the necessity of having to be certificated. The certification process is long and expensive. In the case of where an existing provider chooses to defend "their territory", "their monopoly", the cost to enter the market can be substantial and serves as a deterrent to most would be competitors.

1.) Add a definition of "customer" to AS 42.05.990;

(1)(3)(B) a customer means a person, firm, partnership, association, corporation, municipality, borough, cooperative organization, school district or governmental agency supplied with refuse service by a refuse utility.

(renumber other definitions)

The recent APUC Declaratory Ruling which defined customer as being equal to a location (APUC Docket U-94-17) has brought about my suggestion here. There exists similar definitions in the 3 AAC 52.340 and 3 AAC 52.500 for electric and telecommunications utilities. But there are no definitions elsewhere and certainly not where they should be (in the Statutes).

While this issue is presently under reconsideration by the APUC, the present ruling has put the brakes on my business. The ruling also makes it almost impossible for anyone to enter the business without being certificated and regulated. While I don't mind being certificated or regulated, it does add cost to my services and I don't feel it is necessary. What public purpose is served?

Senator Bert Sharp
January 10, 1995
Page Five

Another idea for the Legislature to consider may be a form of "limited entry" for refuse. I don't have any hard opinions on this method yet, and I am not entirely sure that it would be appropriate either. However, it may be another angle to consider.

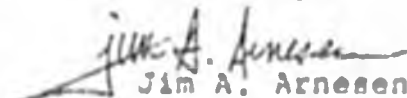
SUMMARY

In summary, my letter requests the following:

- 1.) Total or partial deregulation
- 2.) Upping the dollar amount for the exemption for economic regulation by the APUC.
- 3.) Upping the customer limits for regulation by the APUC.
- 4.) Including a definition for "customer" in the Statutes.

If there are any questions, feel free to contact me anytime.
Thank you.

Sincerely,



Jim A. Arnesen
Owner
Commercial Refuse

(907) 277-3725 office
277-3790 fax
242-4141 mobile
344-7707 residence

SB

71

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 71

Revision Date: _____ Dept. Affected: Revenue
 Title: Deep Freeze Classics BRU: Revenue Operations
 Component: Charitable Gaming Division
 Sponsor: Senator Lincoln
 Requester: State Affairs COMPONENT SERIAL NO. 1883

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	0.0	0.0	0.0	0.0	0.0	0.0

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/MHTIA						
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)

This bill will not fiscally impact the Department of Revenue.

Prepared by: Jeff Prather, Acting Director Phone: 465-2279
 Division: Charitable Gaming Division Date: 2/8/95
 Approved by: _____
 Commissioner: Wilson L. Condon Date: 2/8/95
 Agency: Department of Revenue

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SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 2/6/95

FURTHER: Finance

Date of 5-Day Notice: 3/16/95
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-22-94

State Affairs Committee considered SENATE BILL NO. 71

"An Act relating to deep freeze classics; and providing for an effective date."

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 _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
		<i>[Signature]</i>	<input checked="" type="checkbox"/>		
		<i>[Signature]</i>	<input checked="" type="checkbox"/>		
CHAIR:		<i>[Signature]</i>	<input checked="" type="checkbox"/>		

NEW FISCAL NOTES:

Department	Date	Zero	Fiscal
REVENUE	2/8	<input checked="" type="checkbox"/>	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill



STATE of ALASKA

Delta Junction Legislative Information Office

P.O. Box 1189
Room 210, Jarvis Office Center
Delta Junction, AK 99737
(907) 895-4236

Fax: (907) 895-5017

March 21, 1995

TO: Senate State Affairs Committee

Please accept the enclosed original of written testimony for the House State Affairs teleconference hearing that was scheduled on 3/21/95.

A copy of this testimony was transmitted to your committee via fax on 3/21/95.

Thank you.

A handwritten signature in cursive script that reads "Liz Sarver".

Elizabeth A. Sarver
Information Officer

Enclosures: 10



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
 committee name
 committee on SB 71, dated 3/21/95
 bill/subject

I support the Kille Day Energy Plan

Signed: *Andy Z. Smith*
 Testifier
514
 Representing (Optional)
Rep 945 (village of Pit)
 Address
907-845-4112
 Phone No



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
committee name

committee on SR 781 . dated 3/21/95
bill/subject

Support the Delta Club Trust

Signed: *James J. Jalen*

Testifier

Self

Representing (Optional)

11204 173 11276 Rd

Address

907-515-4357

Phone No



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
committee name

committee on SBTX1 . dated 3/21/95
bill/subject

I do hereby completely support
the Delta Deep Freeze project.

Mr. Conley
2170 Dickson Rd
Delta, AK

Sign: _____
Testifier

Representing (Optional)

Address

Phone No



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
committee name

committee on SEN dated 3.12.195
of/subject

Handwritten text, likely a signature or title, mostly illegible due to blurriness.

Signed _____
Testifier

Representing (Optional) _____

Address _____

Phone No _____



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
committee name

committee on SB 71 . dated March 21, 1995
bill/subject

Please Support the Deep Freeze
Classic.

Signed

Jewell L. H. T.

Testifier

self

Representing (Optional)

P.O. Box 1018

Address

907 875 4972

Phone No



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
committee name

committee on SB 51 . dated 3-21-95 .
bill/subject

*I am in full support of the Delta
Deep-Freeze Classic.
Delta could use the economy report.*

Signed: *Laborie R. Linn*
Testifier

Representing (Optional)
P.O. Box 438

Address
Delta, Alaska (907) 895-5097
Phone No (907) 895-4158



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
committee name

committee on SB 71 . dated March 21, 1995
bill/subject

Handwritten notes:
Not a committee
just testimony of testimony given
Hear...

Signed [Signature]
Testifier

Representing (Optional)
[Handwritten text]
Address

Phone No



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
committee name

committee on SR 71 , dated 3-21-95
bill/subject

I am in full support
of the Delta Deep Freeze
Measure, it will help
Alaska Economy

Signed: James D. Jones
Testifier

Representing (Optional)

Address

Phone No



Alaska State Legislature

Please enter into the record my testimony to the Security State Affairs
committee name

committee on SB 7X1 , dated 3-21-95
bill/subject

I am in support of the Delta
Deep freeze Classic which I believe
would help the economy of Delta
Junction in the future.

Signed: Margie L Wilson
Testifier

Representing (Optional)

Box 409
Address

Delta, Sitka, AK 99731 - 895-9487
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate State Affairs
 committee name
 committee on Senate Bill No. 71 , dated March 21, 1995
 bill/subject

I am submitting this testimony in support of Senate Bill No. 71.

I am the Manager of the Visitor Information Center in Delta Junction. Our center is open mid-May through mid-September each year. During the past three summers, 96,500 visitors have signed the guestbook at our visitor center. We have a large hand-painted thermometer on the outside of our Center. The thermometer has the recorded coldest temperatures on it. Visitors are very fascinated with the thermometer and take many pictures. One of the most frequently asked questions is "How cold does it get here during the winter?"

I expect that visitors will enjoy participating in this classic and it will be a great discussion item when they return home.

In a time of declining state revenues, the profits from the classic will be a big help for our community.

Signed: Sheryl L. Mills (Sheryl L. Mills)
 Testifier

Delta Visitor Information Center

Representing (Optional)

P.O. Box 987 Delta Junction, Alaska 99737

Address

907-895-5068

Phone No.

February 24, 1995

Delta Chamber of Commerce
Bruce Grossmann
P.O. Box 1284
Delta Junction AK 99737
(907) 895-1910

The Honorable Mike Miller
Alaska State Legislature
State Capitol
Juneau AK 99801-1182

Dear Senator Miller,

As a representative of the Delta Chamber of Commerce, I ask you to support Senate Bill No. 71, an act relating to deep freeze classics.

This bill was introduced by Senator Lincoln on February 6th and I discussed it briefly during the Interior Delegation teleconference on February 14th. When passed, it will give our small interior community the opportunity to celebrate the extreme cold for which Delta Junction is known.

Similar to the Nenana Ice Classic in some ways, the Delta Deep Freeze Classic will differ in that players will guess the closest date, time and temperature of the coldest temperature recorded in Delta Junction at a specific location between December and February inclusively. Visitors to our state are especially expected to enjoy participating in this game. The profits from this classic will be invested in projects for the betterment of our rural community during a time of declining state revenues. Passing this legislation will result in little or no cost to the citizens of our state.

You suggested during the recent teleconference this legislation will need Republican support to pass. As secretary of the District 35 Republican Party of Alaska, can I count on your help? If there is any more information you need, please call me.

Sincerely,

signed

Bruce Grossmann
Council Member

2nd Delta Deep Freeze Classic (cont.)

- Winter is November 15 through March 15.
- Win Cold Cash in this 50/50 raffle.
- \$2 per ticket.
- Push sales to tourists...
 - "Take home some of Delta's Real Alaskan Cold Gold"
 - "Win a bit of Delta Junction, the Coldest Spot at the End of 'The Alaska Highway'"
- 30,000 tickets @ \$2 = \$60,000 hot tourist cash dollars.
 - Minus \$8,000 costs and \$30,000 Cold Delta Cash Prize
 - Leaves \$22,000 for Winter Festival expenses.
- Contract with some local business (such as Delta Breeze Electronics) to maintain a high quality, digital recording thermometer.
- Contract with some local weather person (such as American Weather Observer member) Bob Harper, to ensure the daily low temperature is recorded.
- Create a unique "How cold was it?" tourist stopping, picture taking display at the VIC (see attached drawing.)
 - With marks for all the coldest winter temps around Delta for the past 76 years such as last winter... Clearwater Ag Site... FAA Station... Bolio Lake... Rika's Roadhouse (c. 1917-1920)... McCarty WAMCATS Telegraph Station.
- Create a display about cold temperatures in the VIC or the Sullivan Roadhouse.
 - Records and graphs of the winter temperatures.
 - Displays of how the miners and homesteaders estimated temperature in the early days.
 - Videos of people in Delta during a 60 below cold snap.
- Create a Delta Deep Freeze Classic brochure with some of the information listed above.

349pm 2/22/93

Page

How can we develop tourism in Delta Junction over the next year or two?

Do a better job of brochures

- Expand on use of slogan to "The Friendly Frontier at the End of The Alaska Highway" and make this slogan uniform across all products, advertisements, and other promotional material
- Develop new logo
- Expand distribution and use of attraction brochure
- Expand Driving Tour Brochure
- Create Destination Brochure, with
 - annual calendar of events
 - map of Delta
 - list of tourism services (highlighting CoC members)
 - business directory
 - business advertising
 - touting attractions and activities
 - widespread distribution

Create new events

- *Winter Festival of Lights*

Promote, & publicize existing events & attractions

- Buffalo Wallow
- High School Events
- Pioneer Buffalo Barbecue
- Midnight Sun Carnival
- Hockey Tournaments
- Dog Weight Pulls
- Local parks
- Local Tours
- Wildlife
- Softball Tournaments
- Delta Wrestling Tournament
- Deltana Fair
- Horse Shows
- Mud Bogs
- Grizzly Days
- Museums
- Scenery
- Pioneer/ Homestead Lifestyle

Chamber do more for the community that benefits all

- Increase advertising budget by 50%
 - More Radio, More TV, More targeted & instate tourist PR & advertising
- Lighted Information Sign in point of VIC area
 - Work with Kiwanis to purchase and erect
 - Highlight all the events listed above
 - Chamber maintain and provide operating moneys

Create more picture taking / traffic stopping devices

- Albino (winter) buffalo sculpture out of birch/spruce burls
 - get the birch burl parts from the Knotty Shop
 - have some local artisan create
- View live buffalo quartered near the roadhouse or triangle area
- End of the Alaska Highway Monument and or drive-through
- Include "Friendly Frontier" them (see below) in photo locations

Develop a money making raffle

- *Delta Deep Freeze Classic* (like the Nenana Ice Classic)
 - Guess the coldest winter temperature in Delta (December—February)
 - and then guess day to refine the winners
 - \$2 per ticket
 - push sales to tourists at VIC
 - 50/50 prize
 - 30,000 tickets = \$60,000 income - \$5,000 costs - \$30,000 prize = \$25,000 profit
 - use funds to support Winter Festival of Lights
- *Delta Buffalo Raffle* (like the Nenana Ice Classic)
 - Either raffle a butchered and packaged buffalo
 - or buy one to hunt (from Barney H. or Nick C.)
- *First Spring Canada Goose* in Clearwater Lake Raffle

Move the Sullivan Roadhouse & develop it into WHAT?

- Sullivan Roadhouse Museum & Park as a living roadhouse museum & transportation & pioneer lifestyle museum
- Make a development plan... *this is very important*
- Get DOT/TPF to put their old road grader nearby
- Get some of the vehicles from Buffalo Center
- Do something with a recognition of Green Construction and their subcontractors of the Alaska Highway Project 42-43 era
- Early days of Fort Greely
- Contact Major Marsh? (CRTC?) whose dad is still alive and came with the early days army at the base

Develop a "Friendly Frontier" theme promotion

- Signs, flags, & banners "Alaska's Friendly Frontier at the End of the Alaska Highway"
- Develop plan for merchants to use theme in interior & exterior & advertising



DELTA JUNCTION PROPOSAL

Initial Recommendations for Tourism in Delta Junction

May 20, 1993

These are our initial recommendations to start new tourism economic development by the Chamber for the Delta area.

1st Let's promote winter business & instate tourism by holding a festival. Let's call it the....



Friday - Sunday
February 18 - 20, 1994
Delta Junction & Fort Greely Alaska

(And hold it in conjunction with Fort Greely's Grizzly Days)

2nd Lets hold a raffle & pay for the festival. Let's start our own classic and call it the...



Guess the coldest winter temperature and the date and time it occurs at the Official Delta Deep Freeze Temperature Stick at the Visitor Center.



\$2 per Ticket

\$2 per Ticket

**Guess the
Coldest Winter Temperature
At The Visitor Center
in Delta Junction, Alaska**

Tickets & Brochure
Delta Deep Freeze Classic
Box 987, Delta Junction, Alaska 99739
(907) 896-6068

SB

80

FISCAL NOTE

STATE OF ALASKA

BILL NO: SB 80

1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An Act relating to police protection
service areas in unified municipalities." BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Senator Steve Rieger
 Requestor: S. 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						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES	-0-	-0-	-0-	-0-	-0-	-0-
<small>Revenue Code</small>						

FUNDING: (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-

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 attachment.

Prepared By: Francis C. Allan Phone: 289-5891
 Division: Alaska State Troopers Date: 02/27/95
 Approved by Commissioner: *Del Smith* Date: 3/1/95
 Agency: Ronald L. Otto, Dept. of Public Safety

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

For further distribution information call the Governor's Legislative Office

SB 80 does not require the Department of Public Safety (DPS) to do anything differently than is currently being done. Only in the event a service area requests Trooper services will there be a fiscal impact. Accordingly, a zero fiscal note is submitted. Included with this analysis, for illustrative purposes only, is an example of Anchorage Hillside possible costs based upon providing 24 hour coverage of 2 troopers. The Department is unable to calculate actual costs as the service area plays a part in determining the level of coverage to be provided by the troopers.

This bill allows residents within a unified municipality to form police service areas that would contract with the Department of Public Safety for trooper police service.

Interested residents within a proposed service area would circulate a petition to gather signatures. The petition must include the boundaries of the proposed service area as well as the additional trooper services to be provided by the Department of Public Safety. Upon receipt of a petition containing at least 10% of the voters living in the proposed area, the municipal clerk will submit it to the Commissioner of the Department of Public Safety. The Commissioner will notify the clerk of the estimated costs to provide the specified trooper services within the proposed area for a three-year period.

An election will be held to determine whether a police protection service area should be formed, and to approve of the related costs. If a majority votes to approve the proposition, the Commissioner will be required to provide those services to the area. The governing body will levy assessments in the area and make the required payments to the Commissioner.

The bill also provides that at least once every three years, the election process is repeated to determine if the service area should be continued. The Commissioner is required to provide revised cost estimates at that time.

The process to recruit, test, and fully train new state troopers takes approximately 18 months. The Commissioner needs adequate time to respond to a potential election. If adequate time is not provided for, the Commissioner may be required to close current trooper posts or significantly under-staff other trooper locations and service areas in order to provide trooper services to newly formed service areas.

This bill applies to several geographic areas in the state. This bill requires several processes to be completed prior to the Department of Public Safety being impacted. Since these conditions are dependent on the petition and election process, the Department of Public Safety anticipates no immediate fiscal impact at this time.

Amendments Proposed:

Section (d) of the bill provides that upon approval of the question by a majority of the voters residing in the service area, the service area will be formed and the Commissioner of the DPS shall provide the additional services in that area. Amend bill to allow the Commissioner of the Department of Public Safety a time period of 18 months to begin providing service after an election. The process to recruit, test, and fully train new state troopers takes approximately 18 months. If the Commissioner is not provided an adequate time period, drastic changes in trooper deployment may be necessary in order to provide the voter mandated services in the newly formed areas. This changes could include closing current trooper posts or significantly reducing staff in trooper posts and service areas that have no other police protection options.

Amendments Proposed (Cont'd.):

Section (f) of the bill provides for a service area to be dissolved within 120 days after certification of an election if the question to continue the police protection services is disapproved by a majority of the residents voting on the question. Amend bill to allow 12 month notice to the DPS before dissolving a service area. The 12 month period would allow for attrition to take care of potential layoffs and allow for gradual redistribution of the workforce. Layoffs would result in vacancies spread throughout the State. The workforce would need to be redistributed in accordance with the bidding procedures and seniority rights in accordance with the collective bargaining agreement.

DEPARTMENT OF PUBLIC SAFETY
ALASKA STATE TROOPERS
"Hillside" Contracting Costs

	10 x Troopers	1 x Sergeant	Admin Clerk II	Other Costs	TOTAL	Ongoing Costs each year (1)
Personal Services	695.3	79.5	37.0		811.8	695.3
Travel	15.0	1.5	0.0		16.5	16.5
Contractual	128.8	12.9	2.2	93.6 (1)	237.5	237.5
Supplies	30.6	3.1	2.6		36.3	13.4
Equipment	226.4	22.6	7.1	17.4 (2)	273.5	0.0
Subtotal	1,096.1	119.6	48.9	111.0	1,375.6	963.7
Recruitment and Training Costs					110.0	10.0
Total Direct Costs					1,485.6	973.7
Management and Administration costs, 15%					222.8	146.1
ESTIMATED TOTAL COSTS					1,708.4	1,119.8

(1) 4,000 sq. ft. @ \$1.95 per sq. ft. x 12

(2) 3 x microcomputers.

(3) Inflation, step increases not reflected.

ASSUMPTIONS: Population approximately 20,000;
Suburban Residential; 1 High School, 1 Junior High
School, 5 Elementary Schools.

SENATE COMMITTEE RE
First Committee of Referral

DATE: 2/9/95

FURTHER: Finance

Date of 5-Day Notice: 2/23/9
(in accordance with Uniform Rule 23)

DATE TURNED
INTO OFFICE: _____

State Affairs Committee considered SENATE BILL NO. 80

"An Act relating to police protection service areas in unified municipalities; and to police protection provided by the state in certain municipal areas."

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* _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>John A. Swann</i>	✓	<i>2000 EL 1000</i>	✓		
<i>I prefer allowing for private contract.</i>		<i>James G. ...</i>	✓		
		<i>James G. ...</i>	✓		
CHAIR:		<i>Bob ...</i>			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>PUBLIC SAFETY</i>	<i>3/1/95</i>	✓	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*Include fiscal notes accompanying Governor's bill

Alaska State Senate

SENATOR STEVE RIEGER
District 1

Senate Finance Committee
Chair, Senate Transportation Committee


Legislative Budget and Audit Committee
Administrative Regulation Review Committee
Legislative Council

During Session:
State Capitol, Room 516
Juneau, Alaska 99801
(907) 465-3870

716 West 4th Avenue, Suite 530
Anchorage, Alaska 99501
(907) 238-8188

MEMORANDUM

TO: Senator Bert Sharp, Chairman
Senate State Affairs Committee

FROM: Senator Steve Rieger 

DATE: February 15, 1995

RE: Senate Bill 80, An Act relating to police protection service areas in unified municipalities

This memo is to request your scheduling of SB 80, an Act relating to police protection service areas in unified municipalities; and to police protection provided by the state in certain municipal areas for a hearing in the Senate State Affairs Committee at your earliest possible convenience. If it is possible to schedule it during the week of February 20, I would greatly appreciate it.

SB 80 provides for police protection service areas in unified municipalities, and outlines a structure for levying assessment of these service areas. It is an important bill for the people in my district.

Please contact Bryan Butcher in my office if you have any additional questions.

Alaska State Senate

SENATOR STEVE RIEGER
District I



Senate Finance Committee
Chair, Senate Transportation Committee

Legislative Budget and Audit Committee
Administrative Regulation Review Committee
Legislative Council

During Session
State Capitol, Room 318
Juneau, Alaska 99801
(907) 465-1879

716 West 4th Avenue, Suite 530
Anchorage, Alaska 99501
(907) 258-8198

Senate Bill 80

An Act relating to police protection service areas in unified municipalities;
and to police protection provided by the state in certain municipal areas.

Sponsor Statement

SB80 is a measure which will increase local self-determination and provide relief to the state operating budget.

The Department Of Public Safety has a responsibility to provide, among other things, state trooper police protection for the citizenry of the state. In some areas of the state there is a desire and willingness to *pay* for such trooper protection, in order to elevate the amount of coverage. In such a situation both the residents of the area and the department benefit, as there is budget relief for the department, and better service for the area.

SB 80 applies specifically to areas within unified municipalities. It sets forth a mechanism an area to petition for additional trooper protection services, receive a statement of the full cost of all trooper coverage in the area, and then vote it in and pay for it.

This bill represents good government at its best. It allows a citizenry which desires a service, and is willing to pay for it, a way to accomplish their goals. Even areas which are not within the area desiring such service benefit, as the budget pressures on the Department Of Public Safety are lessened and more service can be provided to the rest of the state.

**SOUTHEAST ANCHORAGE
LAW ENFORCEMENT SURVEY
SUMMARY OF RESULTS
February 10, 1992**

Attached is the summary of results of a law enforcement survey conducted in southeast Anchorage in January 1992.

The intent of the survey was to obtain as much feedback as possible on what southeast Anchorage residents want in police protection related to levels of service, costs, and providers, in order that direction would be available to the task force and to elected officials.

The survey was prepared by the Southeast Anchorage Police Protection Task Force, organized in October 1991 to explore alternatives for law enforcement in southeast Anchorage and to work toward alternatives which can be supported by the residents and which may be recommended to elected officials and voters in southeast Anchorage. The task force is composed of representatives of each of the southeast Anchorage community councils and HALO, Inc., a southeast Anchorage homeowners' and landowners' organization. The contact for the task force is Maribeth Brown, Chair, 345-1469.

The survey was mailed to 10,546 households in southeast Anchorage. The mailing labels were obtained from Motznik Computer Services, Inc., from lists of registered voters in southeast Anchorage who voted in any 1990 or 1991 election or who have registered to vote since October 6, 1990. (Where two or more registered voters with the same last name were shown at the same address, one collectively-addressed form was sent.)

A total of 2,067 responses were received as of January 31.

Responses are summarized in total and are also subtotaled by community council.

(Review copies of survey results by Community Council area are available from your Community Council and at Samson-Diamond Library.)

**SOUTHEAST ANCHORAGE
LAW ENFORCEMENT SURVEY
SUMMARY OF RESULTS
February 10, 1992**

RESULTS OF 2,067 RESPONSES

1. Response totals by community council district:

Question: Please circle the Community Council District in which you live (the attached map indicates those areas)

Abbott Loop	466	Glen Alps	17	Mid-Hillside	295
Basher	21	Hillside East	182	Rabbit Creek	355
Bear Valley	43	Huff-O'Malley	578	Don't Know/missing	110

2. Types of law enforcement identified by respondents as important*:

Question: What types of law enforcement do you see as important for you and your family? Please give a score for each to show how important you think each service is (3=very important, 2=somewhat important, 1=not important)

**Percentages may not total 100% due to rounding*

a) respond to and investigate serious crimes, accidents with injury, crimes in progress

very important	1,935	(94%)
somewhat important	59	(3%)
not important	39	(2%)
no response	34	(2%)

b) conduct regular neighborhood patrols

very important	459	(22%)
somewhat important	779	(38%)
not important	773	(37%)
no response	56	(3%)

c) investigate civil problems, noise/nuisance, disorderly conduct, non-motor vehicle accidents, run-away juveniles

very important	438	(21%)
somewhat important	995	(48%)
not important	571	(28%)
no response	63	(3%)

d) investigate non-violent crimes (e.g., burglary, theft, criminal mischief, trespass, embezzlement) with no immediate suspect

very important	834	(40%)
somewhat important	964	(47%)
not important	221	(11%)
no response	48	(2%)

g) conduct routine traffic patrols and enforcement

very important	409	(20%)
somewhat important	748	(36%)
not important	851	(41%)
no response	60	(3%)

h) establish and support community service programs, such as Neighborhood Watch Program, School Liaison Program

very important	398	(19%)
somewhat important	780	(38%)
not important	817	(40%)
no response	72	(4%)

3. Highest taxes respondents willing to pay for law enforcement indicated as "very important" and "somewhat important" in above question.

Question: What is the most you are willing to pay for the law enforcement you have indicated as "very important" and "somewhat important" in question 2? Please check one.

\$0	213	(10%)
\$100 per \$100,000 assessed value	655	(32%)
\$200 per \$100,000 assessed value	516	(25%)
\$300 per \$100,000 assessed value	302	(15%)
\$400 per \$100,000 assessed value	247	(12%)
no response	135	(7%)

4. Respondents' satisfaction with level of law enforcement in area (after 11-1-91):

Question: Rate your satisfaction with the current (after November 1, 1991) level of law enforcement in your area (the information sheet describes those services). Please check one.

very satisfied	313	(15%)
satisfied	480	(23%)
neutral	574	(28%)
dissatisfied	421	(20%)
very dissatisfied	236	(11%)
no response	43	(2%)

5. Law enforcement agency generally preferred by respondents.

Question: Check the law enforcement agency that you generally prefer for your area.

Alaska State Troopers	1,076	(52%)
Anchorage Police Dept	272	(13%)
It doesn't matter to me	687	(33%)
no response	32	(2%)

6. Respondents' support for law enforcement service alternatives:

Question: Please indicate your support by circling yes or no for each of the following alternatives for law enforcement. (Options a) and b) are the only ones currently available to southeast Anchorage. If high interest is shown in any of the other options, the task force will pursue their legal and political possibilities.)

<u>alternative</u>	<u>yes</u>	<u>no</u>	<u>no response</u>
a) Anchorage Police Dept. at \$380 per \$100,000 assessed value (Oct 1991 ballot)	433 (21%)	1,501 (73%)	131 (6%)
b) Leave things as they are now	618 (30%)	1,264 (61%)	185 (9%)
c) Seek a separate service area using State Troopers, supported by taxes (but lower than \$380 per \$100,000 assessed value)	1,246 (60%)	620 (30%)	201 (10%)
d) Seek a separate service area using State Troopers supported by taxes (but lower than \$380 per \$100,000 assessed value), with a further contribution to the APD of no more than \$50 per \$100,000 assessed value for services we receive from APD when travelling downtown and for APD emergency backup to the Troopers in Southeast Anchorage	749 (36%)	1,094 (53%)	224 (11%)
e) Seek a separate service area using the APD, supported by taxes (but lower than \$380 per \$100,000 assessed value)	732 (35%)	1,108 (54%)	227 (11%)
f) Gradually phase into APD to full service and cost	428 (21%)	1,384 (66%)	275 (13%)

Rank on the totem

The Commission on Salaries and Emoluments increased, effective Jan. 1, 1994, compensation for Assembly members to \$20,400 per year and for the chairman of the Assembly to \$23,400 per year. No increases were approved for members of the School Board or the Anchorage Telephone Utility Board. The mayor's salary will be the subject of the panel's Sept. 29 meeting.

The following list shows how the mayor compares with the top earners on the municipal payroll in 1992. (There are about 3,500 employees in all.)

Job title	Department	Pay and benefits
1. Mechanic foreman	ML&P	\$190,624
2. Journeyman mechanic	ML&P	182,329
3. General manager	ATU	146,036
4. Senior patrol officer	Police	144,310
5. Senior patrol officer	Police	139,461
6. Senior patrol officer	Police	134,179
7. Senior patrol officer	Police	133,066
8. Senior patrol officer	Police	132,219
9. Superintendent	ML&P	131,773
10. Senior patrol officer	Police	126,868
11. Superintendent	ML&P	125,874
12. Senior patrol officer	Police	125,546
13. Data technician	ATU	125,093
14. Senior patrol officer	Police	123,732
15. Senior patrol officer	Police	122,343
16. Paramedic supervisor	Fire	122,268
17. Mechanic's helper	ML&P	119,337
18. Senior patrol officer	Police	119,623
19. Foreman	ML&P	119,186
20. Foreman	ML&P	119,095
21. Captain	Fire	117,717
22. Battalion chief	Fire	117,296
23. Foreman	ML&P	116,973
24. Relay substn foreman	ML&P	116,903
25. Maint. technician	ML&P	116,599
26. Senior patrol officer	Police	116,490
27. Maint. technician	ML&P	116,454
28. Mechanic foreman	ML&P	116,229
29. Senior patrol officer	Police	115,696
30. Captain	Fire	115,695
31. Battalion chief	Fire	115,078
32. Senior Captain	Fire	114,889
33. Paramedic supervisor	Fire	114,274
34. Superintendent	ML&P	114,228
35. Lieutenant	Police	113,568
36. Sergeant	Police	113,352
37. Senior Captain	Fire	113,335
38. Maint. technician	ML&P	113,071
39. Foreman	ML&P	112,965
40. Senior Captain	Fire	112,899
41. Sergeant	Police	112,880
42. Senior patrol officer	Police	112,623
43. Senior patrol officer	Police	112,253
44. Sergeant	Police	112,209
45. Senior patrol officer	Police	112,124
46. Superintendent	ML&P	112,013
47. Senior Captain	Fire	111,982
147. Mayor	Mayor	102,048

* includes cash-in of accrued leave time

S B

8 5

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

NO. _____
BILL VERSION: SB 85
PUBLISH DATE: _____

Revision Date: _____
Title: "An Act making corrective amendments to the Alaska Statutes as recommended..."
Sponsor: Senate Rules Committee
Requestor: Senate State Affairs

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

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

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

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

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact to the Legislative Affairs Agency.

Prepared By: Karla Schofield, Deputy Director *Karla Schofield* Phone: 485-3852
Division: Administrative Services Date: 2/21/95

Approved By: Pamela A. Vami, Executive Director *Pamela Vami*
Agency: Legislative Affairs Agency Date: 2/21/95

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

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

COPY

(907) 465-3367 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2103

MEMORANDUM

February 9, 1995

SUBJECT: 1995 Revisor's Bill (Work Order No. 9-LS0395\C)

TO: Senator Mike Miller
Chair, Senate Rules Committee

FROM: Pamela Finley
Assistant Revisor of Statutes

Enclosed is a final for introduction for the 1995 revisor's bill, prepared under AS 01.05.036, which provides, in part, that the revisor of statutes

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

Legislative council approved introduction of the bill at its meeting on February 9, 1995. When the Rules Committee introduces the bill, would you please ask the Senate Secretary to print this memorandum in a supplement to the Senate Journal so that the public will be better able to evaluate the bill.

Sections that delete, repeal, or update obsolete provisions:

Sections 2, 3, 15, 16, 19, 20, 22, and 27 delete, update, or repeal provisions that have become obsolete either through other legislative action or the passage of time.

Sections that correct errors or oversights: Sections 1, 4, 5, 6, 7, 8, 9, 10, 13, 17, 23, and 25 correct errors or oversights that cannot be corrected editorially.

Sections that improve the form or substance of the law: Sections 11, 12, 14, 18, 21, 24, and 26 propose amendments to improve the form or substance of the statute law of Alaska.

SECTIONAL ANALYSIS

Section 1. AS 04.11.400(d)(1) is a good example of misuse of the word "between," in that it excludes the beginning and ending numbers. This bill section corrects the error by including the beginning and ending numbers.

Section 2. This section deletes "as defined in AS 04.21.080(b)" at the end of AS 04.11.498(b). The definition of "established village" in AS 04.21.080(b) already applies to AS 04.11.498(b), so the cross-reference is superfluous.

Section 3. According to the Division of Banking, the Federal Savings and Loan Insurance Corporation no longer exists; its duties have been assumed by the Federal Deposit Insurance Corporation. Accordingly, the reference to FSLIC is deleted from AS 06.45.060(7)(D).

Section 4. According to the Division of Occupational Licensing, the "National Council for the Certification of Acupuncturists" does not exist; there is, however, a "National Commission for the Certification of Acupuncturists." This bill section amends AS 08.06.030(a)(4) to reflect that fact. The change was requested by the Department of Law.

Sections 5 and 6. According to the Division of Occupational Licensing, the American Association of Naturopathic Physicians does not sponsor, and is not involved in, examinations for certifications. Accordingly, the reference to this organization is deleted in AS 08.45.030 and 08.45.035. This amendment was requested by the Department of Law.

Section 7. According to the Division of Occupational Licensing, the proper name for the pharmacy association is the "National Association of Boards [not Board] of Pharmacy." The designation is correct in AS 08.80.110(4), but wrong in AS 08.80.120. This bill section amends AS 08.80.120 to correct the name of the association. The amendment was requested by the Department of Law.

Sections 8 and 9. AS 09.38.015(c) and 09.38.500(1) are amended to delete "general law or home rule" before "municipality." All municipalities in the state are general law or home rule municipalities, so the phrase is redundant.

Section 10. AS 13.26.344(1), which relates to powers of attorney, refers to "conclusive or electric-shock therapy." Clearly "conclusive" should be "convulsive", and this bill section makes that change. This corrects an error in ch. 109, SLA 1988.

Sections 11 and 12. AS 16.10.294(f) and (g) relate to legal actions between the commissioner of labor and a fish processor or primary fish buyer. Note that "commissioner" in this section is defined as the commissioner of labor, AS 16.10.296(1), whereas in other parts of AS 16.10 the "commissioner" is either the commissioner of fish and game or the commissioner of commerce and economic development. See AS 16.05.940, AS 16.10.360, and 16.10.560. Therefore the provisions of AS 16.10.294(f) and (g) can apply only to AS 16.10.265 - 16.10.296 because those are the only sections in AS 16.10 that the commissioner of labor can enforce. Accordingly, the reference to "this chapter" (i.e., AS 16.10) is changed to "AS 16.10.265 - 16.10.296".

Section 13. This section adds a provision that was erroneously repealed by ch. 130, SLA 1992. Chapter 130, SLA 1992 enacted provisions governing the practice of midwifery in AS 08.65, and repealed certain provisions in AS 18.05, most of which dealt with the practice of lay midwifery. AS 18.65.060, however, provided a penalty for violations of any provision of AS 18.05 and regulations adopted thereunder (not just those related to lay midwifery), and therefore should not have been repealed. The remaining provisions of AS 18.05 deal with the general duties of the Department of Health and Social Services (including disease control, transportation of dead bodies, and voluntary certification of laboratories) and disclosure and confidentiality of information. This bill section reenacts the provisions of former AS 18.05.060.

Section 14. This bill section adds unlawful evasion in the first degree (AS 11.56.340) to those misdemeanors that disqualify a person from receiving a concealed handgun permit, if the conviction was within the last five years. Unlawful evasion in the second degree (AS 18.56.350), which is a lesser offense, is currently listed as a disqualifying offense. The only difference between AS 11.56.340 and 11.56.350 is that AS 11.56.340 covers those who are charged with or convicted of felonies, whereas the AS 11.56.350 covers those charged with or convicted of misdemeanors. It makes no sense to disqualify a person who fails to return to official detention while charged with a misdemeanor, but not to disqualify a person who fails to return to official detention while charged with a felony. It is true that the person who violates AS 11.56.340 would be disqualified anyway if he or she were convicted of the underlying felony, and it is true that those charged with felonies are unlikely to be on furloughs, which may explain why AS 11.56.340 was omitted from the list. However, to avoid any possibility of an inequitable result, AS 11.56.340 is added to the list in AS 18.65.705(4).

Sections 15 and 16. Because the Federal Savings and Loan Insurance Corporation no longer exists, the reference to it in AS 21.21.230 and 21.21.600 (19) is changed to the Federal Deposit Insurance Corporation. See explanation for Section 3.

Section 17. AS 41.09.010, which governs exploration incentive credits, was enacted by ch. 39, SLA 1994. In a committee substitute, a "shall" in subsection (h) was changed to "may" due to an error in typing and proofing. The committee did not ask for such a change, nor did the drafter make it, but it appeared in the final anyway. This section returns the language to "shall" and bill section 28 makes the change retroactive to August 7, 1994, the effective date of sec. 1, ch. 39, SLA 1994.

Section 18. Executive Order 77 (1990) required the Alaska labor relations agency to act as the railroad labor relations agency. See AS 23.05.370(a)(6). AS 42.40.750(c) requires the railroad labor relations agency to "establish rules," rather than "adopt regulations," although the latter is the normal language used in the Alaska Statutes. "Rules" was probably used because it was closer to terminology used in federal law. Now that the relevant "rules" are to be made by a general state agency (as opposed to one limited to the railroad), the

terminology should be changed to reflect that fact. Accordingly, "adopt regulations" is substituted for "establish rules."

Section 19. The section concerns the Alaska Coastal Policy Council. Because the public members serve only two years under AS 44.19.155(b), the reference to July 9, 1978 is obsolete and therefore is deleted.

Section 20. AS 44.21.501(a)(8) requires the office of equal employment opportunity to assist the division of labor relations in collective bargaining negotiations. According to the Department of Administration, the division of labor relations no longer exists. In this bill section the reference to the division is deleted. This change was requested by the Department of Law.

Section 21. AS 44.33.119 sets the purposes of the Alaska Division of Tourism. Since "visitory" does not appear in our dictionary, the reference in paragraph (6) to a "visitory experience" is changed to "the visitors' experience".

Section 22. This bill section removes an obsolete reference to the date that the first Alaska Administrative Register had to be published.

Section 23. This section adds definitions of "commissioner" and "department" for AS 46.14, which concerns air quality and was enacted in ch. 74, SLA 1993. Early drafts of that Act placed the provisions in an area of the Alaska Statutes that already defined "commissioner" as the commissioner of environmental conservation and "department" as the Department of Environmental Conservation, so additional definitions were not needed. When the provisions were renumbered as the bill made its way through the legislature, we failed to add the appropriate definitions. This bill section corrects that error. It is made retroactive to June 26, 1993 (the effective date of most of ch. 74, SLA 1993) by bill section 29.

Section 24. This amendment concerns the definition of "community service" in a statute dealing with delinquent minors. The current reference is to work on "a project identified in AS 33.30.901." However, AS 33.30.901 merely defines terms, including the term "community service." To clarify the legislature's intent, the reference is changed to work "defined as community service under AS 33.30.901".

Section 25. Chapter 113, SLA 1994 modified provisions relating to records of minors. AS 47.10.090 (which formerly covered both court and agency records) was rewritten to apply only to court records and AS 47.10.093 (which covers only agency records and includes some provisions that were formerly in AS 47.10.090(a)) was enacted. Unfortunately, ch 113, SLA 1994 did not amend AS 47.10.097(b), which exempted fingerprint records of minors from the requirement (formerly found in AS 47.10.090(a)) that agency records pertaining to

the minor be kept confidential. Since the confidentiality of agency records is now covered by AS 47.10.093(a), rather than AS 47.10.090(a), a conforming amendment to AS 47.10.097(b) is necessary. Bill section 30 makes the amendment retroactive to September 1, 1994, the effective date of ch. 113, SLA 1994.

Section 26. As currently written, AS 47.10.490(2) defines "out-of-home care provider" as follows:

(2) "out-of-home care provider" means an agency or a person, other than the child's legal parents, with whom the child is currently placed and who is in the custody of the state under AS 47.10.080(b)(3), (c)(1), or (c)(3), 47.10.142, or 47.10.230(c), including a foster parent, a relative other than a parent, a person who has petitioned for adoption of the child, or a residential child care facility;

This could be interpreted to require that the person or agency (instead of the child) be in the custody of the state. The Department of Law therefore suggested that it be rewritten. Bill sec. 24 rewrites the definition to clarify that it is the child who must be in the custody of the state, and also to bring the "means and includes" aspect of the definition in line with standard style.

Section 27. This section repeals various provisions; a copy of the statutes to be repealed is attached. The reasons for the proposed repeals are as follows:

AS 18.07.111(12) defines a term ("secretary") that is not used in the chapter.

AS 24.20.075 establishes the Alaska Code Revision Commission, which expired on June 30, 1993 under AS 44.66.010(a)(8). Since the Commission's wind-down year expired on June 30, 1994, I have included AS 24.20.075 and AS 44.66.010(a)(8) in the repealer.

AS 44.33.122 established the Tourism Coordinating Committee and AS 44.33.124 sets its membership. Under AS 44.66.010(a)(16), it expired on June 30, 1993. Since the Committee's wind-down year ended on June 30, 1994, I have included AS 44.33.122, 44.33.124, and AS 44.66.010(a)(16) in the repealer.

AS 44.66.010(a)(12) is the sunset provision for the Alaska Women's Commission. Executive Order 84 (1993) repealed the Alaska Women's Commission. Therefore, the reference in AS 44.66.010(a)(12) is obsolete.

AS 47.30.500(4) defines "poverty area," a term that is no longer used in the article for which it is defined.

Section 28. Section 28 makes the amendment to AS 41.09.010(h), discussed under sec. 17 above, retroactive to August 7, 1994, the effective date of that provision.

Senator Mike Miller
February 9, 1995
Page 6

Section 29. Section 29 makes the enactment of AS 46.14.990 (26) and (27), discussed under sec. 23 above, retroactive to June 26, 1993, the effective date of most of AS 46.14.

Section 30. Section 30 makes the amendment to AS 47.10.097(b), discussed under sec. 25 above, retroactive to September 1, 1994, the effective date of ch. 113, SLA 1994.

Section 31. This section gives the bill an immediate effective date.

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

PF:klb
95-055.klb

Enclosure

TEXT OF STATUTES REPEALED

AS 18.07.111(12)

(12) "secretary" means the secretary of the United States Department of Health and Human Services.

AS 24.20.075

Sec. 24.20.075. ALASKA CODE REVISION COMMISSION.

(a) The Alaska Code Revision Commission is established as a permanent commission of the legislature.

(b) The commission consists of two legislators, one from each house, appointed by the presiding officer; three public members who are not employees of the state government, appointed by the legislative council, a designee of the governor, who is an attorney employed by the executive branch of the state government, a designee of the chief justice of the supreme court, and a designee of the Alaska Bar Association appointed by the board of governors of the association. Legislative members serve at the pleasure of the presiding officer, the designee of the governor and the designee of the chief justice serve at the pleasure of the governor and chief justice, respectively, the public members and the designee of the board of governors serve terms of six years each, beginning July 1 and ending on June 30 six years later. Members may be reappointed or redesignated. A vacancy in the membership of the commission occurring other than by expiration of term shall be filled in the same manner as the original appointment but, with regard to the legislative members, the public members, and the board of governors' designee, for the unexpired term only. The term of a member continues until the member's successor is appointed. Members who are not state employees or legislators are entitled to receive the standard per diem and travel allowance provided for members of independent boards and commissions. Legislative members are entitled to receive the regular legislative per diem and travel allowance for days spent on commission business, and members who are state employees are entitled to receive the regular state employees per diem and travel allowance for days spent on commission business. The commission selects its chairman and vice-chairman. The director of legal services for the Legislative Affairs Agency, or the designee of the director, serves as executive secretary for the commission.

(c) The commission shall

(1) examine the statutes of the state and judicial decisions to discover defects and anachronisms in the law.

(2) review and consider proposed changes in the law recommended by the American Law Institute, the National Conference of Commissioners on Uniform State Laws, the Alaska Judicial Council, the Alaska Legislative Council, the supreme court, the state or local bar associations, principal departments, agencies, boards, and commissions of the executive or judicial branch, and committees of the legislative branch.

(3) receive and consider suggestions from the Alaska bench and bar, public officials, organizations, and individuals as to areas of law needing review and remedy;

(4) recommend changes in law needed to eliminate antiquated and inadequate rules of law and to bring the law into harmony with current needs and conditions.

(d) The commission may

(1) hold public hearings and other meetings as necessary throughout the state and shall determine an appropriate quorum for conducting business;

(2) establish one or more subcommissions to assist it in the performance of its duties.

(e) The staff of the Legislative Affairs Agency serves as staff for the commission. Subject to appropriation for the purpose, the commission may request the agency to contract with other agencies or persons for the performance of necessary services.

(f) The commission shall submit its reports and recommendations, and draft legislation as to revision of law, to the legislative council and shall distribute them to the governor, members of the legislature, and the chief justice of the supreme court. Each draft of legislation submitted by the commission shall be accompanied by a sectional analysis. The commission shall prepare the sectional analysis using language that is understandable to a layman.

(g) All branches of state government shall provide information and documents requested by the commission necessary to the accomplishment of its work.

(h) The commission shall make a formal request to the legislative council for funds it considers necessary for the per diem, travel, and contractual expenses of the commission. Funds appropriated to the commission are to be disbursed and accounted for under procedures required by the Legislative Affairs Agency. The commission chairman shall approve all expenditure documents.

AS 44.33.122:

Sec 44 33 122 ESTABLISHMENT OF TOURISM COORDINATING COMMITTEE.

(a) The Tourism Coordinating Committee is established in the Department of Commerce and Economic Development.

(b) The committee is established to advise the division of tourism and to coordinate the activities of state agencies that affect tourism.

(c) The committee shall

(1) provide a forum to develop interagency goals for visitor attraction and services that are consistent with the public interest and that will provide increased economic benefits to the various regions of the state.

(2) conduct analyses of problems facing development of tourism in the state and develop solutions to those problems by exploring successful models for the development of travel and recreation in other tourism-focused states and nations;

(3) develop, review, and recommend to the governor and commissioners budget requests for tourism development in the various programs of the agencies of the state, and

(4) coordinate the operating programs of state agencies to enhance tourism development efforts.

(d) The committee may hold formal or informal meetings concerned with the responsibilities assigned under this section and with other associated responsibilities. The committee may appoint subcommittees and may consider topics at meetings with less than the entire membership of the committee present (§ 7 ch 78 SLA 1988).

AS 44.33.124:

Sec. 44.33.124. MEMBERSHIP OF THE TOURISM COORDINATING COMMITTEE.

The governor shall appoint the members of the Tourism Coordinating Committee. Members may be appointed from the operational level of state agencies and may include representatives from the following:

- (1) Office of the Governor (office of management and budget, international trade);
- (2) Department of Commerce and Economic Development (tourism, business development);
- (3) Department of Community and Regional Affairs;
- (4) Department of Education (state museums);
- (5) Department of Environmental Conservation;
- (6) Department of Fish and Game (sport fish, habitat, fisheries rehabilitation, enhancement, and development);
- (7) Department of Labor;
- (8) Department of Natural Resources (parks, forestry, land and water, and historic preservation);
- (9) Department of Revenue (taxation and revenue considerations);
- (10) Department of Transportation and Public Facilities (airports, ferry system, highways);
- (11) University of Alaska (Center for International Business, School of Management);
- (12) Alaska Railroad.

AS 44.66.010(a)(8), (12), and (16):

(a) Boards and commissions listed in this subsection expire on the date set out after each:

- (8) Alaska Code Revision Commission (AS 24.20.075) - June 30, 1993;
- (12) Alaska Women's Commission - June 30, 1993;
- (16) Tourism Coordinating Committee (AS 44.33.122) - June 30, 1993.

AS 47.30.500(4):

(4) "poverty area" means a district in which 15 per cent or more of the population, based on the 1970 census data, falls under 125 per cent of the Community Services Administration poverty guidelines.

PF.klb
95-041.klb

First Committee of Referral

DATE: 2/14/95

FURTHER: Judiciary

Date of 5-Day Notice: 3/2/95
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: _____

State Affairs Committee considered SENATE BILL NO. 85

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

and recommends:

be replaced with CS SB 85 (STA)

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# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Tom Leman</i>	✓				
<i>Roll E (100)</i>	✓				
CHAIR: <i>Ben Thompson</i>	✓				

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

LAA	2/21/95	✓	

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

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

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

MEMORANDUM

February 21, 1995

SUBJECT: SB 85 (Revisor's Bill) and Proposed Amendments to It;
Work Order No. 9-LS0395\C.1, \C.2, and \C.3

TO: Senator Bert Sharp
Chair, Senate State Affairs Committee

FROM: Pamela Finley *PJ*
Assistant Revisor of Statutes

I see that SB 85 (the revisor's bill) has been referred to the Senate State Affairs Committee. I would appreciate your scheduling the bill for a hearing at your earliest convenience so that it can go on to the Judiciary Committee. A sectional analysis for the bill appears in Senate Supplement No. 3, February 14, 1995.

I am also enclosing three amendments for the committee's consideration. Amendments C.1 and C.3 were suggested by the Department of Law. Amendment C.2 had been in the draft presented to Legislative Council, but was omitted because APOC had not had time to determine whether it reflected their current practice. An explanation of each amendment follows:

Amendment C.1 This amendment would limit the proposed penalty provision for AS 18.05 to violations of AS 18.05.040 - 18.05.046. As I mentioned in the sectional analysis for this bill we proposed adding AS 18.05.061 in bill section 13 because a comparable penalty statute had erroneously been repealed when nearby provisions governing lay midwives were repealed. However, the only provisions in AS 18.05 that need a penalty provision are AS 18.05.040 (which requires regulations for such things as control of diseases and transportation of dead bodies) and AS 18.05.044 and 18.05.046 (which relate to registry of persons with impairments and contain consent and confidentiality provisions). The remaining sections in AS 18.05 require the department to administer certain laws (AS 18.05.010), report to the legislature (AS 18.05.020), cooperate with the federal government (AS 18.05.030), and prepare planned parenthood and fetal health effects information (AS 18.05.035 and 18.05.037). It seems inappropriate to charge a DHSS employee with a misdemeanor for failing to cooperate with the federal government or prepare reports when other, less drastic, sanctions are available. Accordingly, I concur with the Department of Law's recommendation to limit the proposed penalty to violations of AS 18.05.040 - 18.05.046.

Senator Bert Sharp
February 21, 1995
Page 2

Amendment C.2. This amends the contents of the conflict of interest statements that certain public officials are required to file under AS 39.50. All of the transactions listed in AS 39.50.030(b) refer to the preceding calendar year, except AS 39.50.030(b)(6), which deals with loans, loan guarantees, and indebtedness of \$500 or more. The Alaska Public Offices Commission has adopted a regulation that limits disclosure to loans, loan guarantees, or indebtedness of \$500 or more made or still outstanding during the preceding calendar year. See 2 AAC 50.040. The Department of Law requested that a reference to the previous calendar year be inserted in AS 39.50.030(b)(6). Upon reading the provision, I also noted that the \$500 limit appears at the end of the paragraph, and therefore it is not entirely clear that the \$500 limit applies to loans and loan guarantees, although I assume that was the intent. (This provision was enacted by initiative, so I have no way of knowing for sure what the drafter's intent was.) I have therefore inserted the \$500 limit in regard to loans and loan guarantees. The added language at the end of the paragraph is my attempt to codify most of the APOC regulation as I understand it. It requires disclosures of the loans or guarantees made, or indebtedness incurred, during the preceding calendar year, even if no repayment is due during that year. It also requires disclosure of loans, guarantees, or indebtedness that were still outstanding during the previous calendar year (even if made several years earlier) if the amount outstanding was \$500 or more.

At the time Legislative Council met, APOC had not had a chance to review this section and I was afraid it might prove controversial if it was inconsistent with APOC's interpretation. Therefore, it was removed before the bill was introduced. The Department of Law has since informed me that the APOC has reviewed it and believes it is consistent with their current regulations and procedures.

Amendment C.3. Bill section 2 deletes "as defined in AS 04.21.080(b)" from AS 04.11.498(b) because AS 04.21.080(b) already applies to AS 04.11.498(b), so the cross-reference is superfluous. This amendment would delete the same language from AS 04.11.498(c) for the same reason.

If you or other members of the committee have any questions about these proposed amendments or other sections of SB 85, please do not hesitate to call me. I would appreciate it if your staff would let me know when the bill is scheduled for a hearing.

PF:lmb:pl
95-123 lmb

Enclosures

AMENDMENT

OFFERED IN THE SENATE

TO: SB 85

- 1 Page 6, line 3:
- 2 Delete both occurrences of "this chapter"
- 3 Insert in both places "AS 18.05.040 - 18.05.046"

AMENDMENT

OFFERED IN THE SENATE

TO: SB 85

1 Page 6, following line 29:

2 Insert a new bill section to read:

3 **"* Sec. 17. AS 39.50.030(b)(6) is amended to read:**

4 (6) any loan or loan guarantee of \$500 or more made to the person, the
5 person's spouse or dependent child, or a nondependent child of the person who is living
6 with that person, and the identity of the maker of the loan or loan guarantor, and the
7 identity of each creditor to whom the person, the person's spouse or dependent child, or
8 a nondependent child of the person who lives with that person owed \$500 or more: ~~this~~
9 paragraph requires disclosure of a loan, loan guarantee, or indebtedness only if the
10 loan or guarantee was made, or the indebtedness incurred, during the preceding
11 calendar year, or if the amount still owing on the loan, loan guarantee, or
12 indebtedness was \$500 or more at any time during the preceding calendar year;"

13 Renumber the following bill sections accordingly.

14 Page 9, line 7:

15 Delete "sec. 17"

16 Insert "sec. 18"

17 Page 9, line 9:

18 Delete "sec. 23"

19 Insert "sec. 24"

20 Page 9, line 12:

21 Delete "sec. 25"

1

Insert "sec. 26"

AMENDMENT

OFFERED IN THE SENATE

TO: SB 85

1 Page 2, after line 27:

2 Insert a new bill section to read:

3 ** Sec. 3. AS 04.11.498(c) is amended to read:

4 (c) If a majority of the voters of an established village vote "yes" on the question
5 set out in (a) of this section and the sale of alcoholic beverages, or the sale and
6 importation of alcoholic beverages, has not been previously prohibited in the established
7 village in accordance with AS 04.11.490 or 04.11.496, a person, beginning 90 days after
8 certification of the results of the election, may not knowingly possess an alcoholic
9 beverage in the established village, unless the person is licensed by the board or the
10 alcoholic beverage is wine to be used for bona fide religious purposes based on tenets
11 or teachings of a church or religious body, is limited in quantity to the amount necessary
12 for religious purposes, and is dispensed only for religious purposes by a person
13 recognized by the church or religious body as authorized to dispense the wine. The
14 board shall be notified immediately after certification of the results of the election and
15 thereafter may not issue, renew, or transfer between holders or locations a license for
16 licensed premises located within the perimeter of the established village [AS DEFINED
17 IN AS 04.21.080(b)]. Licenses that may not be renewed because of a local option
18 election held under this section are void 90 days after the results of the election are
19 certified. A license that will expire during the 90 days after the results of a local option
20 election under this section are certified may be extended until it is void under this
21 subsection, by payment of a prorated portion of the biennial license fee."

22 Renumber the following bill sections accordingly.

23 Page 9, line 7:

1 Delete "sec. 17"

2 Insert "sec. 18"

3 Page 9, line 9:

4 Delete "sec. 23"

5 Insert "sec. 24"

6 Page 9, line 12:

7 Delete "sec. 25"

8 Insert "sec. 26"

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3567 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

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

MEMORANDUM

February 22, 1995

SUBJECT: Proposed Amendment C.4 to SB 85 (Revisor's Bill)

TO: Senator Bert Sharp
Chair, Senate State Affairs Committee

FROM: Pamela Finley *PF*
Assistant Revisor of Statutes

Enclosed please find a fourth proposed amendment to SB 85, the 1995 revisor's bill. It amends sec. 20 by inserting "the state's bargaining representative" before "[THE DIVISION OF LABOR RELATIONS]". The Department of Law originally asked for the amendment as it appears in the bill because the division of labor relations no longer exists. On reflection, the Department of Law decided that it would be better to make it clear that the office of equal employment opportunity was to assist only the state, and not the employee bargaining organizations. I agree that the amendment is an improvement.

I am sorry I was not able to send this amendment with the earlier ones, but I did not receive the Department of Law's request until today.

PF klb
95-096 klb

Enclosure

AMENDMENT

OFFERED IN THE SENATE

TO: SB 85

- 1 Page 7, line 27, after "assist":
- 2 Insert "the state's bargaining representative"

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
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(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99901-2103

MEMORANDUM

March 2, 1995

SUBJECT: Proposed Amendment C 5 to SB 85 (Revisor's Bill)

TO: Senator Bert Sharp
Chair, Senate State Affairs Committee

FROM: Pamela Finley *PF*
Assistant Revisor of Statutes

Enclosed please find a fifth proposed amendment to SB 85, the 1995 revisor's bill. It amends the legal description for the Yukon River Crossing development node on the Dalton highway by changing "Umiat Meridian" to "Fairbanks Meridian". As you can see by the attached letter, the amendment was requested by the director of the Division of Land and corrects an error in ch 50, SLA 1994.

Please give me a call at 465-2450 if you have any questions

PF lmb
95-134 lmb

Enclosure

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

400 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801-1798
PHONE: (907) 465-2400
FAX: (907) 465-3886

February 28, 1995

George Utermohle
13 Seward St. Suite 409
Juneau, Alaska 99801-2105

Re: 1994 SLA Ch. 50

Dear Mr. Utermohle:

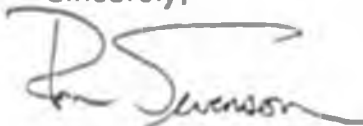
After passage of this legislation, I became aware of an technical error in one of the legal descriptions.

Page 2, lines 10 - 12 should read:

Yukon River Crossing:
Township 13, North, Range 11 West, [UMIAT] Fairbanks Meridian
Section 26;

Thank you for making this change to the statute.

Sincerely,



Ron Swanson
Director
Division of Land

cc: Senator Bert Sharp
Senator Mike Miller
Representative Gene Thernault
Nancy Welch